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FIRST THINGS

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NUMBER 129

GEORGE WEIGEL

Moral Clarity in a Time of War

NATHAN SCHLUETER / ROBERT H. BORK

Constitutional Persons: An Exchange on Abortion

JOHN E. COONS

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The Limits of Globalization

M. A. Casey ("How to Think About Globalization," October 2002) accurately portrays the secular elite's inability to appreciate the depth of influence that religious cultures maintain over the actions of individuals, including those who were responsible for the horrors of September 11, 2001. He also notes correctly that hostility to globalization is often motivated by religious beliefs, and that Islamic radicals are not off base when they regard globalization as being antithetical to their idiosyncratic concept of righteous faith. This in no way justifies their violence, of course, nor is this a case of globalization's individualist, consumerist, and utilitarian culture picking on Islam alone. Globalization is equally dismissive of all traditional cultures—Christian, Hindu, Buddhist, Jewish, tribal.

It should be noted, however, that Islam is not hostile to economic or cultural globalization per se, for Islam—like Christianity—perceives itself as a global faith, and an all-encompassing one at that. Traditional Islam is entrepreneurial (Muhammad was a merchant before he became a prophet), although the Qu'ran, like the Bible and, as Mr. Casey states, Pope John Paul II, warns against immoral business practices. Additionally, Islam has superimposed its values on a variety of pre-Islamic cultures from West Africa to Southeast Asia. So it is not that radical Islamists object to making money in faraway places or homogenizing the world. They just want it to be their pockets that swell rather than those of non-Muslims, and their worldview that prevails rather than that of Wall Street and Pennsylvania Avenue.

It should also be noted that Mr. Casey falls prey to his own Catholic and Western bias in at least two places.

Near the end of his essay, Mr. Casey writes of the need for Muslim nations to develop "clear boundaries between the public and private domains." He says that modern Muslim nations have, to varying degrees, repeatedly done so as part of the process of statecraft. But isn't the fact that Muslim nations have done this a primary complaint of the world's Osama bin Ladens, who see the infidel's manipulative hand behind such compromises? Islam, unlike Christianity, never developed an inclination toward church-state separation, summed up by the Gospel of Mark's exhortation to "render to Caesar the things that are Caesar's, and to God the things that are God's." Perhaps this is because Islam achieved great political success very quickly and saw no need during its formative years to make compromises to insure its continuation as a movement. A critic might say that quick success breeds arrogance in religious cultures just as it does in the world of business and politics. A believing Muslim, of course, would say no division ever developed because God's domain is indivisible, and to approach it any other way is heresy.

My point is that it is no more realistic to ask traditional Muslims to develop clear boundaries between public affairs and private devotion than it is to ask traditional Catholics to cede moral authority to the state on abortion. We have the right to demand that Muslims do so if they wish to reside in the democratic West, but we do not have the right to demand that they change on their home turf. Mr. Casey is calling for reform within a religion where the problem element (according to my bias as a non-Muslim, Western rationalist) fervently believes that Islam *is* a reform movement, that is, a corrective to Judaism and Christianity, which for various

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reasons are deemed to have strayed from Abraham's pure monotheism.

Lastly, Mr. Casey calls John Paul "an unbiased observer" on the issue of globalization and religion. That's Mr. Casey's bias unwittingly showing through, and it undercuts his arguments—just as not recognizing that our views are merely our own humble views and not some universally accepted objective reality prevents us from fully understanding views with which we disagree. John Paul may be described as an intelligent, sensitive, caring, and authoritative observer, but he is no less biased than an *Economist* editor. All mere mortals possess preferences and opinions. We are all subjective beings.

On a global basis, the failure to recognize that others understand reality differently than we do, or to acknowledge that no matter how secure in our position we may be we are acting on faith alone, could end up being the West's fatal conceit (as it has been for a succession of cultures now deceased). Physical survival may require that we try to kill radical Islamists before they succeed in killing us. And globalization is by no means the sole cause of today's religiously inspired violence. But unless the purveyors of globalization recognize that the religious vision remains intact for most of the world's population, and until they attempt to understand the values of that vision, they will forever be in the dark as to why the excesses of the free market are despised by so many—sometimes violently.

Ira Rifkin
Annapolis, Maryland

Michael Casey replies:
Grateful as I am for Mr. Rifkin's response, I think he has misunderstood me on two important points.

First: there is a difference between the dangers posed by the "global" claims of Islam on the one hand and globalization on the other. As I said in my essay, the danger with globalization is not so much homogenization as the universalization of a certain form of instrumental rationality with an impoverished concept of the human person. The danger posed by Islam in its historically militant form is that of the establishment of a world empire and the imposition of a religion by force of arms. I know it is fashionable (and for some people, psychologically satisfying) to treat globalization as simply the latest form of "Western imperialism" and to juxtapose it with genuinely imperial forces in the world, such as militant Islam. But it does not really advance our understanding of these two quite discrete phenomena and the challenges they pose.

Second: in echoing the claim others have made about the absence of clear boundaries between public and private domains in Islamic countries, I was making a different point than the one Mr. Rifkin thinks I made. It is not a matter of privatizing religion—to the extent that globalization in its present form insists on this, it is part of the problem. Instead, it is a matter of strengthening the development of mediating institutions between the individual, the family, and the tribe on the one hand, and the instrumentalities of the state on the other. What is needed is a stronger sense of society as something separate from both the private realm and the realm of the state. This is an argument not for the fragmentation of life and faith, but for extending their integration into a different mode of human interaction. The possibility of democracy in Islamic countries—and its long-term future in the West—depends on our capacity to expand ourselves in this way. With sincere respect to Mr. Rifkin, his difficulty on this point may be related to his difficulty with the idea that we are able to rise above ourselves and our interests and take a view of things that is substantially, if imperfectly, unbiased.

Mr. Rifkin's view seems to be that globalization is one of the causes of Islamist violence and terror. Tracing the causes of atrocities such as September 11 and October 12 in Bali was not really my intention. The editors gave my article a title that faithfully reflects its purpose: how to think about globalization—in particular, how to think about globalization in relation to religion, and after September 11. Terrorism has its own particular causes and they are not always easy to understand. For this reason, we have to be careful not to confuse excuses with causes. Globalization has certainly provided a lot of people all over the world with a good excuse for smashing things up. Whether it is really the cause of their desire to do so is another question.

The Nature of Capitalism

Leszek Kolakowski's use of moral terms to define capitalism shows that even in condemning socialism he still cannot fully shake the Socialist mindset that permeates academia ("What Is Left of Socialism," October 2002). He writes:

> Ultimately, *capitalism is human nature at work—that is, man's greediness allowed to follow its course*—whereas socialism is an attempt to institutionalize and enforce fraternity. It seems obvious by now that a society in which *greed is the main motivation of human acts*, for all of its repugnant and deplorable aspects, is incomparably better than a society based on compulsory brotherhood. [Emphasis added.]

I agree that capitalism really is human nature at work, but only Marxist materialists reduce the definition of human nature to "man's greediness." As a proponent of capitalism living in a basically capitalist society, I have engaged in countless "human acts" this week, and I can think of none (okay, maybe one or two) that were motivated mainly by greed. Can thankfulness, cruelty, piety, anger, pity, lust, whimsy, vanity, duty, pride, love, etc. not motivate human acts in capitalist

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societies? Or must I, as a proponent of capitalism, go to church greedily, read bedtime stories to my children greedily, send money to Lutherans for Life greedily, go jogging along the river greedily, root for the Packers to beat the Bears greedily, clean the garage greedily, build a fire in my fireplace even though it is sixty-five degrees outside greedily, and read the same book of English Romantic poetry for the fiftieth time greedily? If so, how would socialism deal with such pervasive greed? By taking away my fireplace and running shoes?

Even though it only amounts to a minor point in his article, Dr. Kolakowski's moral critique of capitalism—that it allows greed to go unchecked—betrays the mindset of the academic left because it imputes to capitalism the function of religion. It is like criticizing the U.S. Postal Service for delivering too much hate mail, but then reluctantly acknowledging that "for all its repugnant and deplorable aspects" our postal system is better than systems that censor the mail and deliver it late. Capitalism, like the postal service, is not a religion, and so it neither can nor should measure up to the moral demands placed upon it by disillusioned Marxists seeking a new way. For such religious seekers, capitalism is not large and pretentious enough to fill the moral void left by Marxism's demise, but no other major religion is cramped and narrow enough to focus entirely on greed, class, and power struggles as the essences of the human condition. My motivation in writing this letter (apart from all-consuming avarice) is to suggest that Dr. Kolakowski look neither to capitalism nor to the ghost of socialism but somewhere else for, among other things, "a statement of solidarity with the underdogs and the oppressed, as a motivation to oppose Social Darwinism, as a light that keeps before our eyes something higher than competition and greed."

(The Rev.) Peter A. Speckhard
Faith Lutheran Church
Green Bay, Wisconsin

The Complicated Orthodox

Lawrence Uzzell's "Russians and Catholics" (October 2002) is a particularly insightful article on its subject. And it is always good to see Orthodox issues discussed in FIRST THINGS. With so much misunderstanding on both sides, these issues need to be aired in the public square.

Certainly Mr. Uzzell has expressed cogently the irony—not limited to Russians but common to many Orthodox—that "it is not the traditionalist Orthodox clergy who are most drawn to Rome but the progressives: the tiny minority most sympathetic to the World Council of Churches, radical liturgical reforms, and modernist views on issues such as birth control. What the progressives hope to see is just what the traditionalist Orthodox fear: that a reunion of Eastern and Western Christianity would not reverse modernism in the West, but simply spread it to the East. They may well be right." Indeed, they may.

This goes a long way toward explaining why there is not—among Greek, Russian, Romanian, Syrian, or even American Orthodox peoples (many of whom are converts to Orthodoxy)—much widespread enthusiasm for ecumenical rapprochement with the West. Pope John Paul II may well wish that the Church could breathe with a second (Eastern Orthodox) lung to strengthen and heal what he sees as its ailments. But the Orthodox most ready to reach out to him are those who have a proclivity toward the same ailments. This is mirrored, interestingly, on the Roman Catholic side: those most averse to rapprochement with the East seem to be those ultramontane and highly conservative—and sometimes schismatic—groups that work toward reversing what they see as the abuses of Vatican II.

The dichotomy is reflected, on the Orthodox side, by the seeming ambivalence of the Ecumenical Patriarch Bartholomew, when, to a Western audience expecting more of the irenic ecumenical talk for which he was noted, he spoke instead of the difference between Orthodoxy and Roman Catholicism as being "ontological."

Of course Westerners, and especially Roman Catholics, must not mistake the utterance of the Patriarch as equivalent to that of the Pope. It is not. While the Pope may speak unilaterally with an authority binding on his whole church, no single bishop or patriarch within Orthodoxy has such authority or such a voice. Only a conciliar decision of the whole church can make such authoritative and binding pronouncements. This is precisely one of the "ontological" differences between the two churches and surely one of the most difficult to bridge.

From the Eastern side of the divide I can only concur heartily with Mr. Uzzell's critique of Orthodoxy's frequent failure to manifest its true universality and catholicity and to boldly proclaim its mission to the whole world. Ethnicity has been the bane of Orthodoxy for centuries. Here in America the Orthodox churches have not escaped this bane, and, with their multiple ethnic jurisdictions, they often present, more than anywhere else, the appearance of fractiousness and aloofness that is utterly alien to Orthodoxy's deepest nature as the catholic Church of Christ.

Certainly there have been notable Orthodox hierarchs in this country and abroad, many of them Russians, whose vision of Orthodoxy and its catholic mission was a resplendent one. One has only to think of St. Tikhon, one-time archbishop of America and later patriarch of Moscow; or of the wonder-working Saint John Maximovitch, late archbishop of San Francisco. These were noteworthy for their readiness to reach out to the West and to the world to share their Orthodox heritage and vision. Both were further noted for their willingness to welcome into the embrace of Orthodoxy and to restore to it those ancient liturgical rites of the West (now largely abandoned by the

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West) whose Orthodox provenance in the first millennium is a fact of history. The presence of Western-rite Orthodox congregations in the U.S. and elsewhere is a tribute to the catholicity of their vision.

Regrettably, the Russian Church today seems to exist under men of lesser and narrower vision, men who sometimes see their task in the West as little more than a chaplaincy to the Russian emigration. (Or the Greeks to the Greeks, etc.) To the extent this is true, it is a betrayal of the universal and catholic mission of Orthodoxy. If Orthodoxy truly believes what it proclaims, and if it acts on what it believes, it would—fearlessly, generously, and with ardent apostolic love—open up its treasures of life and holiness to the whole world, East and West, revealing itself to be the radiant and beloved Bride of Christ. Instead Orthodoxy too often acts like a frightened old woman hiding and hoarding her silver spoons.

(The Rev.) James M. Deschene, Prior
Monastery of Christ the Saviour
Providence, Rhode Island

Lawrence Uzzell replies:
Sadly, Father Deschene's image of a frightened old woman is all too apt. I thank him for formulating more eloquently than I some of the concerns about the Moscow Patriarchate that a fair number of our fellow Orthodox have shared with me privately. Far from being too traditionalist, the current leadership of the Russian Church is not traditionalist enough—all too ready to subordinate the universal vision of first-millennium Orthodoxy to modern ideologies such as nineteenth-century nationalism or twentieth-century statism. Moscow needs more candor and less servility from us Orthodox in the West—for example about its preferences (dictated by secular politics) for Muslims over evangelical Protestants or for liberal Anglicans over Roman Catholics.

But it is not only we Orthodox Christians who fall into the trap of uncritical, romantic euphoria about Russia. From the publications of some American Protestant groups one would never guess that the Russian Baptist Union has a collaborationist history somewhat similar to that of the Moscow Patriarchate. The Vatican has proved too willing to play along with the "divide and rule" tactics of repressive legislators in Minsk and Moscow, failing to defend vigorously the religious freedom of non-Catholic minorities. American Jewish groups have been too meek about Vladimir Putin's brazen meddling in the factional dispute between Russia's two leading rabbis—yet one more proof that Putin rejects the basic concept of a robust civic society independent of state control.

To Fr. Deschene's words about St. Tikhon and St. John Maximovitch I can only say "Amen." We Orthodox already have readily available a tradition that is truly catholic rather than xenophobic; we just need the courage to tap into it.

The Real "Last Respectable Prejudice"

I don't take issue with Kenneth Woodward's claim that Catholics still suffer bias in the U.S. ("The Last Respectable Prejudice," October 2002), but he's wrong that they are the "last" respectable prejudice. That would surely be the Church of Jesus Christ of Latter-day Saints ("Mormons") and its members. Many, especially on the very conservative, evangelical side of the Protestant spectrum, go so far as to deny that Latter-day Saints are even Christians. And Mr. Woodward himself, especially in his articles in *Newsweek*, has contributed to this atmosphere of ignorance and bias.

Physician, heal thyself.

Marc A. Schindler
Spruce Grove, Alberta
Canada

Kenneth Woodward replies:
Mr. Schindler's letter reinforces one of my points, namely, that when it comes to the maintenance of group identity, the only rivals to American Jews in their sensitivity to prejudice, real or imagined, are the Mormons. In light of recent events, one might also mention American Muslims. Like the Muslims, Mormons see their religion, through later revelations, fresh scriptures, and God's final prophet, as both an improvement upon and a replacement for the religions that preceded theirs. Obviously, these claims do not make for irenic relations with adherents to those religions they have improved and replaced.

Whether or not Mormons should be regarded as Christians is not a matter that the LDS magisterium can decide unilaterally. The differences between orthodox Christianity and the Latter-day Saints are so wide and so deep that I know of no Christian body that recognizes the Latter-day Saints as Christian, just as I know of no General Authority of the LDS who recognizes the spiritual legitimacy of non-Mormons. Indeed, I know of no journalists writing for secular publications who have or would abet what would amount to a confusion of realms for their readers. On the contrary, what gives the LDS its unique identity are precisely those beliefs and rituals that set it apart from orthodox Christianity—and from all other religious traditions. That is what Mormons are taught, and I should think that Mr. Schindler, as a Mormon, would be proud of that uniqueness.

As for his reference to my articles on Mormons in *Newsweek*, I find it odd to be sandbagged in one publication for what I have written in another. Unfortunately, he does not cite where I have erred in my *Newsweek* coverage of his church. Perhaps he refers to my last cover story on Mormons (dated, fatefully, 9/11/01), for which no Mormon General Authority was willing to sit for an interview. Afterwards, I received a very complimentary note from the LDS Public Affairs Department in Salt Lake City,

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though I am aware they also published some criticism of the article for consumption by the faithful. That alone indicates how much Mormons—and they are hardly alone in this—need to cultivate a private sense of victimhood in order to maintain their separate identity even as they publicly campaign to be accepted as Christians. You can't have it both ways, and I do not see why any serious Mormon would want to.

More Meanings of Marriage

John Witte, Jr.'s discussion of "The Meanings of Marriage" (October 2002) provides a useful history of the cultural and legal history of marriage in the West. Particularly apropos is his suggestion that the states need to give greater consideration to the marital laws and traditions of various faith groups. However, an otherwise excellent essay is marred by his slighting of the biological meaning of marriage as well as some confusion between "family" and "household," or a refusal to make a proper distinction between them.

A household is simply any number of individuals related voluntarily, biologically, or otherwise, who live together under one roof. A family, however, has a natural, biological definition and minimally requires the marriage of a man and a woman, whose sexual relationship normally produces offspring. Other members of the family may include others related either by blood or by a legal arrangement such as adoption. A family may compose a single household, or it might be composed of several households. But there is a considerable and highly significant difference between a family and a household (e.g., two men rooming together whether homosexual or not) that does not have as its basis the sexual relationship of a man and a woman upon whom the species depends for its survival.

Professor Witte, it appears, wants to be open to all kinds of meanings of marriage, which is, of course, possible, as long as those meanings are limited to cultural and legal definitions of the institution. This ignores, however, the evidence that in all human cultures the biological function of marriage, i.e., sexual relations and procreation, is fundamental to the meaning of marriage. Edward Westernack's groundbreaking study (*The Future of Marriage*, 1970) demonstrated that marriage has a "deep biological foundation, as applying to a relation which exists among many species of animals as well as in mankind. . . . Quite frequently true married life does not begin for persons who are formally married or betrothed, or a marriage does not become definite, until a child is born or there are signs of pregnancy." Indeed, the biological function of marriage is so central to its meaning that Dana Mack and David Blankenhorn can write: "If we were to define marriage across cultures, we could presume the institution to carry no other universal purpose than the establishment of legitimacy of birth" (*The Book of Marriage*, 2001).

Disappointingly, Prof. Witte emphasizes the cultural and legal meanings of marriage at the expense of the natural and biological. For example he writes, "*Ideally,* marriage also enhances the life of the child, by providing it with a chrysalis of nurture and love" (emphasis added). It would, however, have been more accurate if he had written that "*minimally,* whatever the cultural and legal definition, marriage is designed to care for children born of the sexual union that is at the core of the meaning of marriage."

James Rober Ross
Lexington, Kentucky

Non-Jews and the Holocaust

The Polish students at Richard John Neuhaus' seminar in Krakow take umbrage that although millions of non-Jewish Poles "were killed in the Holocaust," their deaths are ignored ("A History of Their Own," Public Square, October 2002). To the students' disappointment, the Holocaust Museum in Washington, D.C. examines only the extermination of the Jews, allegedly ignoring the millions of non-Jews murdered by the Nazis.

Father Neuhaus' students' complaint reflects a misunderstanding of the meaning of the term "Holocaust." Contrary to the students' assumption, the word is not an umbrella term that encompasses all crimes committed by the Nazis. It is limited to the Nazi persecution of the Jews, culminating in the Final Solution, the systematic extermination of the Jewish people.

The Nazi persecution of the Jews requires a distinct term because that persecution was distinctive. Of all the peoples of Europe, only the Jews (and to a lesser extent the Gypsies) were slated for physical annihilation. No other religious or ethnic group faced this fate at the hands of the Nazis.

This is not to deny the enormous suffering that the Nazis inflicted on peoples other than Jews. The Nazis apparently intended to reduce Slavs such as the Poles to the status of helots. They took steps to execute their plan by, for example, murdering Polish intellectuals and other leaders. However, while the lot of the Poles during World War II was unquestionably miserable, the Nazis never intended to bring about a Europe without Poles. In contrast, the Nazis sought and came very close to achieving their goal of a Europe free of Jews.

These facts are so well known that it is hard to take at face value the students' concerns as described by Fr. Neuhaus. Their concerns reflect either enormous ignorance of the most elementary facts of the Second World War (which seems unlikely) or what seems more likely—Fr. Neuhaus' claim to the contrary notwithstanding—classical anti-Semitic resentment against perceived Jewish dominance and exclusiveness. From that

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perspective, Fr. Neuhaus' report is profoundly discouraging.

Howard Gootkin
New York, New York

It was with much distress that I read in FIRST THINGS the comments of a Polish student of Richard John Neuhaus who had been a visitor to the United States Holocaust Memorial Museum. Father Neuhaus reports her puzzlement that the Museum has failed to recognize the millions of non-Jews exterminated by the Nazis, and then adds his own editorial parenthesis implying rather that the Museum has *refused* to do so.

Most visitors to the Permanent Exhibition find quite another picture. An entire section of the fourth floor (where the exhibition starts) is entitled "Enemies of the State," and tells of the persecution of groups such as the Roma and Sinti (Gypsies), Communists, Social Democrats, pacifists, and dissenting clergy. On both the Museum walls and monitors, text and pictures give vivid evidence of the horrors awaiting Freemasons, political dissidents, homosexuals, and Jehovah's Witnesses as well. Words on the wall note that "after 1939, Czechs, Poles, and Slavic people from the Soviet Union were stigmatized as racially inferior" and therefore considered to be threats to the German nation. One can see police mug shots, triangular patches differentiating various inmate groups in the camps, and other artifacts that mutely tell of their sufferings. Within a short distance, a large section of the exhibition is given over to "The Terror in Poland," with photographs of Roman Catholic priests and other civilians being rounded up and shot by the Nazis. The final portion of that part of the fourth floor and a section of the third floor address experimentation upon, and the subsequent deaths of, mentally and physically disabled men, women, and children deemed "unworthy of life." Monitors and artifacts on the third floor further witness the murder of vast numbers of non-Jews. In a section on the prison camps one finds the story of the death of over three million Soviet POWs, along with the sufferings of untold numbers of men and women from all over Europe who were put to forced or slave labor, often being worked to death.

The second and final floor of the Permanent Exhibition presents the story of rescue and the aftermath of the Holocaust. The texts in these sections tell of the risks taken by non-Jews such as those in Zegota, the Polish Council for Aid to Jews. Photographs and a wall listing the names of thousands of identified rescuers (the largest number of them from Poland) testify to the courage of those who disregarded the danger to themselves and reached out to their Jewish brothers and sisters. Extending the Museum's attention to rescuers, the 2002 calendar, distributed to over 180,000 members, featured such heroes.

Five years ago a temporary exhibit in the Concourse told of the courage of Fr. Jacques Bunel, the Carmelite priest who paid with his life for giving shelter to three young Jewish boys in his school in Avon, France. An exhibition on Oscar Schindler was displayed twice, and an extensive special exhibition on escape through Shanghai centered on "the Japanese Schindler," the diplomat Chiune Sugihara.

The Museum's scholarly journal, *Holocaust and Genocide Studies*, regularly offers articles about the Gypsies under the Third Reich and its allies, the mass murder of Armenians in Turkey between 1915 and 1923, the genocide in Rwanda, and the mass murders in Cambodia under Pol Pot.

Visitors to the Museum learn that although Hitler's foremost obsession was the complete extermination of Jews as a people, the Nazi regime persecuted and carried out the mass murder not only of six million Jews, but eleven million human beings.

Peggy Obrecht
Director of Church Relations
U.S. Holocaust Memorial Museum
Washington, D.C.

Catholics Against Vouchers?

Richard John Neuhaus attributes anti-voucher sentiment largely to anti-Catholic bigotry ("While We're At It," October). I beg to differ. According to exit polls, two-thirds of Catholic voters in California and Michigan voted against school voucher initiatives in 2000. And twice in the 1980s voters in predominantly Catholic Massachusetts handily defeated proposals to remove the anti-voucher language from the state constitution.

Father Neuhaus' argument may have made some sense in the nineteenth century, but not today when four-fifths of Catholic parents are content to have their kids in public schools.

Alec Randall
Aspen Hill, Maryland

RJN replies:
I wrote of "the long and dreary history of antireligious (mainly anti-Catholic) discrimination in education." As for today, I referred to "the formidable forces defending the status quo, notably the teachers' unions." That most Americans, including Catholics, who do not have children in the catastrophically failed schools of the inner city are happy with their public schools is good news for the enemies of parental choice.

To Pledge or Not to Pledge?

Richard John Neuhaus ("Political Blasphemy," October 2002) makes reference to "Paul Kurtz's American Humanist Society." It should be pointed out that there is an American Humanist Association, founded in 1941, but no "American Humanist Society." Further, Paul Kurtz has not been associated with the AHA for more than twenty years.

As for the religious phrase added to the Pledge of Allegiance in 1954 by pious politicians, we wonder how our country managed to get through World Wars I and II without it while our principal adversary in both con-

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flicts invoked the deity with *Gott mit uns* on its soldiers' belt buckles.

Edd Doerr
President
American Humanist Association

The "under God" phrase in the Pledge of Allegiance has troubled me since I was first asked to recite it as a child, and it continues to trouble me more than it does Richard John Neuhaus. I think the interpretation of the phrase as a statement of "patriotic pride"—asserting, rather than beseeching, God's providential care—remains more natural and more widespread than Father Neuhaus' reading. The sacrilege of identifying God's interests with the nation's has been markedly (though by no means singularly) present in the United States of America.

Unlike the editors of the *New York Times*, I am not bothered by Fr. Neuhaus or anyone else taking "under God" as a statement of public moral aspiration. The freedom of religion includes the freedom to bring religious values and prescriptions into public life. But it seems to me that requiring others to profess such an aspiration—even on so small a level as a schoolchild's Pledge—is precisely what the freedom of religion (in particular, the freedom of conscience) cannot support. Those who are fervently convinced that religion should be expunged from American politics may have to live under laws based on values they abhor; but they should not be obliged to daily declare such values their moral aspiration.

Finally, precisely because the deity of the Pledge is a semi-generic civil god rather than a particular one, I suggest it is not worthy of much defense. The government's aim should be to accommodate the essential religious practices (both public and private) of all Americans as best it can—not to enforce the public symbols of a civil religion belonging to everyone and no one.

Joel Hafvenstein
Cambridge, Massachusetts

RJN replies:
"Paul Kurtz's American Humanist Society" is a generic reference. I am sorry to learn about his disassociation from Mr. Doerr's organization. "Under God" is an acknowledgment that America is under God's judgment and, we pray, His protection. It is also an always needed call to devotion in the hope that, as Lincoln said at Gettysburg, "this nation, under God, shall have a new birth of freedom." Does anybody but Mr. Doerr think it suggests a Divine guarantee of military victory?

To Mr. Hafvenstein: Nobody should be required, and nobody is legally required, to say the Pledge of Allegiance. Conscientious objection may bear the price of social disapproval, but that enhances its moral significance. The conscientious objector has no right of veto power over the nation's formal expression of its self-understanding. I expect almost all Americans think the God referred to is the Father of Abraham, Isaac, Jacob, and Jesus.

The Truth About Canada

Re: "For a people in whose history the most significant thing that has happened is the establishment of the right to get in line to see a doctor . . ." (While We're At It, October).

I was stung by this criticism of my country and would like to point out that, even if most Canadians are unimpressed, our history contains much that is glorious, even heroic. In particular, I am referring to the evangelization carried out by the Jesuits (who did not seek to destroy native culture) and to the missionary work of such great saints as Marguerite Bourgeoys and Marguérite d'Youville, to mention just two among many. The city of Montreal was founded in 1642 not to conquer, enslave, deport, or even to profit from the Aboriginals, but as a charitable enterprise of evangelization which included the founding of the second oldest, and still functioning, hospital in North America (that is, north of Spanish Florida). Canadian confederation in 1867 was founded on, among other things, agreement between Protestants and Catholics to respect each other's rights and liberties, including public schooling in Protestant and Catholic schools as chosen by the parents. While things have tended to go downhill since then (including the Quebec bishops giving up Catholic schools for reasons that have never been well explained), there is much for Canadians to be proud of and with which to identify.

Nicholas Newman
Université de Montréal
and Hôtel Dieu
Quebec, Canada

RJN replies:
Please. I was reporting what *Canadians* said about their history. As one born and reared in Canada, I agree that there is much more to be appreciated, and am sorry that so many Canadians appear not to know that.

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Opinion

Zelman: The Court Gets It Right

Michael M. Uhlmann

Several months on, we can begin to appreciate the full importance of the Supreme Court's June 27, 2002 decision upholding the Cleveland school voucher program (*Zelman v. Simmons-Harris*). Anxious parents and children in Cleveland now possess a constitutionally sanctioned means to escape the deplorable public schools that have been inflicted upon them. Their counterparts in other places where voucher programs are already underway—Milwaukee and Florida, for example—will also breathe a sigh of relief. Locales that have heretofore been reluctant to experiment with vouchers may now find the courage to try. Legal and political battles remain to be fought at the state and local level, but voucher proponents throughout the country can proceed without fear that some federal judge will stop them dead in their tracks. In short, *Zelman* has "legs."

The opinion for the Court was written by Chief Justice William Rehnquist, who has for years, if not decades, tried to persuade his colleagues that their Establishment Clause rulings lack intellectual coherence. He was joined by Antonin Scalia and Clarence Thomas, who are clear-eyed on First Amendment issues, and by Anthony Kennedy and Sandra Day O'Connor, whose sentiments on the subject appear to be in constant flux. Kennedy, for example, is the author of one of the worst opinions of recent years, *Lee v. Weisman* (1992), which prohibited voluntary state-sanctioned prayer at graduation ceremonies because it made nonparticipants feel bad. And O'Connor, who has labored mightily to find a theory of the First Amendment she can live with, is notorious for writing opinions that seem to be good for one case only. Even so, their support in *Zelman* bodes well for any future litigation involving vouchers.

The Chief's opinion, spare and to the point, rested on three simple propositions: 1) "The program challenged here was enacted for the valid secular purpose of providing educational assistance to poor children in a demonstrably failing school system." 2) "Program benefits are available to participating families on neutral terms, with no reference to religion." 3) Not a penny of government money finds its way to religious institutions except by "the deliberate choices of numerous individual recipients." "The incidental advancement of a religious mission, or the perceived endorsement of a religious message, is reasonably attributable to the individual recipient, not to the government, whose role ends with the disbursement of benefits."

When put that way, it is hard to see how educational vouchers implicate the First Amendment at all. They shouldn't—unless you're forced to factor in five decades of judicial musing on the Establishment Clause. The core of Rehnquist's argument could have been stated convincingly in a paragraph, even a single sentence. The rest of his opinion was necessitated by the detritus of prior Court opinions, which clutter the legal landscape with conflicting and confusing multi-part tests and much pleasant-sounding but for the most part irrelevant and ill-informed rhetoric about the "wall of separation" between church and state.

The remarkable thing is less that *Zelman* came out the way it did than that only five Justices could support its conclusion. The other four remain hopelessly tangled in tentacles of the Court's own contrivance, which, as Rehnquist pointed out in a 1985 dissent, have "proved all but useless as a guide to constitutional adjudication." If anything, the Chief Justice understated the problem. In truth, ever since Justice Hugo Black concocted a false history of the First Amendment and sold it to his colleagues in 1947 (*Everson v. Board of Education*), the Court has been chasing its own tail. Examples abound but a few will do.

In 1968 the Court ruled that a state might lend textbooks in secular subjects to students at religious schools without violating the Establishment Clause, but its 1975 reading of the same clause concluded that instructional materials other than textbooks (e.g., maps and film projectors) were constitutionally *verboten*. As Daniel Patrick Moynihan slyly asked at the time, what are we to do with atlases—which are books of maps? Moynihan's question reappeared with a vengeance at the Court a few years ago, when the Justices solemnly deliberated about whether computer equipment was more like a book or a film projector. Such is often the stuff of which modern Establishment Clause jurisprudence is made, as if the answer had anything important to say about the meaning of the First Amendment. In the event, a bare majority of the Court held that state subsidies for computers do not an establishment make, but only four Justices were willing to sign a common opinion justifying the result.

Consider another example. The Court banished state-sanctioned Bible reading and prayer from public

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schools years ago, and more recently brought graduation ceremonies and even high school football games within the ambit of the prohibition. But how do we square those rulings with the Court's decision permitting the employment of legislative chaplains, who invoke God's blessings every day before every legislature in the country, including Congress?

Similar examples could be easily adduced, but the point is already clear. He who searches for doctrinal clarity in the cases will search in vain. The only explanatory principle is this: the meaning of the Establishment Clause will be determined by a majority of the Supreme Court, whose members reserve the right to change their minds for any reason or for no reason at all. Being clever lawyers, justices know how to differentiate the cases to accord with some imagined architectonic principle of church-state relations. In this they are aided by the professoriate and the law reviews, for whom there is seldom a Court decision that ten thousand well chosen words can't explain. But hardly anyone else is fooled. No amount of clever legal parsing can construct a principled understanding of the First Amendment from the Court's collective ruminations on the subject. That is precisely why litigants and their supporters on all sides bite their fingernails every time a religion case is presented to the Court.

In the run-up to *Zelman*, for example, everyone knew that the Court would have to confront two conflicting lines of cases from its First Amendment portfolio. On one side were various decisions, chiefly from the 1960s and '70s, which might be called the High Church Era of strict separation. The operative principle here is that the Establishment Clause is implicated whenever so much as a nickel of government aid finds its way into a religious coffer, no matter what the government's intention or how circuitous the route. A federal trial judge and a divided Sixth Circuit panel relied chiefly on cases of this type (especially *Committee on Public Education v. Nyquist* [1973]) to find the Cleveland voucher program unconstitutional.

Since 1983, the Court has taken a more lenient view of government assistance to religious schools, especially where the controlling decision on where the money is spent is made by someone other than the state itself. The closest case on point in this category is *Mueller v. Allen* (1983), sustaining a Minnesota tax deduction scheme for educational expenses not unlike that presented by the Cleveland voucher plan. It, too, was a 5-4 decision with Rehnquist writing for the majority.

Both sets of cases contained abundant dicta that might be deployed to justify a conclusion in *Zelman*, however the case came out. But no one, least of all the parties to *Zelman*, really believed that there was any way to marry the principles from these mutually exclusive understandings of the First Amendment. In the end, it was believed, the Court would have to choose between high church separationism and a more accommodating non-conformity. Here, as in so many other matters, the key vote was Justice O'Connor, who clearly has a foot in each camp and has tried, for the most part fecklessly, to construct various theories to justify her allegiance to both.

O'Connor is excessively fond of the idea that "establishment" really means "endorsement." Government support for religion, in her view, can be justified so long as it is not perceived to constitute government approval of the doctrinal opinions associated with the recipient institution or activity. The idea seems appealing at first but crumbles upon reflection. Describing endorsement as a "test" doesn't make it a useful constitutional rule. What one judge perceives as an unconstitutional endorsement may strike another as a necessary accommodation to protect free exercise, and in fact O'Connor herself has more than once run into that very dilemma. In the end, the endorsement "test" is but a rhetorical device through which judges can articulate their personal preferences.

Justice O'Connor is also much taken, as are a number of her colleagues, with the idea of government neutrality when dealing with religion. On one level, the idea is unexceptionable, indeed worthy of applause. Who would want the government to be other than neutral on such maters? But, although it is less slippery than endorsement, the neutrality test also suffers from certain limits as a controlling principle of law. The government may have little trouble trying to maintain neutrality as between religious groups, as it should. But how can the government remain neutral as between religion and what the Court sometimes refers to as "non-religion"? The Court has suggested that believers and nonbelievers must be treated alike for First Amendment purposes, which seems an admirable goal, but how will a neutrality test resolve the question, now pending in the Ninth Circuit, whether "under God" should be stricken from the Pledge of Allegiance? Leaving the phrase in offends atheists; taking it out would offend believers. Constitutionally speaking, it is a zero-sum game, one that cannot be resolved on the ground of neutrality.

Along with the endorsement and neutrality tests, the Court clings to the criteria set forth in *Lemon v. Kurtzman* (1973), the principal remnant of the strict separation era. In its original formulation, *Lemon* held that in order to pass Establishment Clause muster, a government program in aid of religion 1) must have a valid secular purpose, 2) must have substantially secular effects, and in any event, its administration 3) may not lead to undue entanglement between government and religious institutions. Like most multi-part legal tests, there

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is plenty of wiggle room in the interstices, which enables judges to eviscerate the rule even as they pay lip service to its principles. That has been the short history of the *Lemon* test. It is still much honored by the Court rhetorically, but exceptions to it are by now so numerous that they may have swallowed the rule. A number of Justices, Scalia most prominent among them, have suggested that *Lemon* be given a decent burial, on the grounds that the Court no longer takes it seriously. But those Justices who dream of returning to the hallowed days of strict separation are not about to let it go. They will do everything in their power to keep the corpse on artificial life-support for as long as they can.

Such was the legal background against which Rehnquist had to write in *Zelman*, although, as I say, his argument need not have occupied more than a single paragraph. In a lengthy and powerful 1985 dissent (*Wallace v. Jaffree*), the Chief Justice laid bare the historical fictions on which Hugo Black had erected his Jeffersonian "wall of separation." The clear implication of Rehnquist's opinion was that strict separation was wrong as a matter of history and principle, and unworkable in practice. *Everson*, in short, did not deserve the totemic devotion bestowed upon it by subsequent Courts. Of course, a judge may indulge bluntness when writing in dissent. Writing for a narrow majority imposes cautionary obligations. Rehnquist got his five votes, which is what he needed, and he did it in the sparest possible way, conceding what was necessary to keep Kennedy and O'Connor on board, but no more. Not only in *Zelman*, but in two decades of cases preceding it, the Chief Justice has performed a great act of judicial statesmanship. The nation owes him a profound debt of gratitude.

Now that *Zelman* is on the books, where do we go from here? It is important to remember what is and isn't at stake in the voucher debate. Private, and especially religious, schools are not going to march across the country displacing public schools. American dedication to the public school tradition is too deeply rooted for that. But the long-run implications of *Zelman* are not to be underestimated.

First, the decision will bring enormous hope and real opportunity to those sorely oppressed children, mostly poor and minorities, in the inner cities. Until now, they have been indentured to the last plantation, which is what the public schools in many of our major cities have become. *Zelman* provides a constitutionally protected escape route and makes it possible for poor parents to obtain funding for the journey.

Second, the constitutional validation of vouchers reaffirms the right of parents to direct the education of their children. As the Court itself declared in 1925, the child is not a creature of the state. We need to remind ourselves of that in these days when a menacing and seductive counterculture threatens the souls of the young. The apparatchiks of the education establishment, who worship at the shrines of political correctness and moral relativism, want no other gods before them. Educational vouchers will help to keep them in check.

Third, by injecting a badly needed element of competition into the school market, *Zelman* will improve the quality of public education. This is already apparent in places like Milwaukee. The same will hold true of Cleveland and any other place where a properly supported voucher program is established.

Fourth, *Zelman* drives another nail into the coffin of narrow-minded separationism, which has been the bane of public discourse on church-state matters for more than fifty years. The dissenters know this, which is why their opinions were so dyspeptic. Justice David Souter, who has a penchant for thirty-page opinions that law professors love, savaged the Court's recent First Amendment jurisprudence. He worries that vouchers may not only undermine the public school tradition but may prompt a revaluation of the *Everson* doctrine as well. The former is so much harum-scarum designed to rally anti-voucher forces, but he may be right about the latter.

Souter, along John Paul Stevens and Stephen Breyer, waved the bloody shirt of national disunity and sectarian warfare. These have ever been the war cries of the strict separationists. Although the argument will not withstand serious scrutiny, its resurrection here may reflect more than a quiet sense of desperation. Breyer raised the specter of "religiously based social conflict," while Stevens actually suggested that *Zelman* would usher in religious strife of the sort that afflicts Northern Ireland, the Balkans, and the Middle East. To this hypothetical hysteria, the Chief Justice calmly responded that he could find no evidence of "divisiveness" or "strife" other than the litigation.

The battleground will now shift to the state courts and legislatures, where the constitutional validity of Blaine-type laws (named after Republican Congressman, Senator, and presidential candidate James G. Blaine) will be challenged. These nineteenth-century relics of anti-Catholic bigotry are more draconian in their prohibitions against funding of religious schools than all but the most fevered readings of the Establishment Clause. The battle to eliminate or limit their reach will be long and bloody, in both court and legislature. *Zelman* cannot directly control the outcome of these cases, but it provides voucher advocates with a new arsenal of legal arguments based on free exercise and equal protection.

Finally, *Zelman* did one thing more. When the Court incorporated First Amendment freedoms within the Fourteenth Amendment more than two generations ago, it vested itself with monopoly powers to dic-

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tate the terms of the church-state debate throughout the entire country. By limiting the reach of the Establishment Clause, *Zelman* necessarily limits the monopoly of the national judiciary. For the first time in living memory, someone other than federal judges will be able to speak authoritatively about church and state. In and of itself that will be reinvigorating, and who knows: as elected bodies at the state and local level become involved, they may end up teaching judges a thing or two about the real meaning of religion in public life.

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Peddler of Paradise

K. Gordon Neufeld

Recently I witnessed a spectacle unlike anything I have seen in twenty years: a mass wedding celebrated by the Reverend Sun Myung Moon. On April 27, 2002, in the ballroom of a large hotel on the fringe of America's capital, I watched as Moon formalized the wedding vows of—or so he claims—some 144,000 couples. What made the ceremony doubly striking was the claim that at least one partner of all the couples involved was a member of the clergy of a vast range of faiths and denominations.

The occasion inspired an overwhelming feeling of déjà vu; just twenty years ago, I myself participated in one of Moon's mass weddings at Madison Square Garden on July 1, 1982. The rules then in force in Moon's Unification Church prevented me from ever living with my "bride"; eventually, we both left Moon's movement and went our separate ways. Despite this heartbreak, I decided to attend this latest ceremony—but this time I would be going as an observer, hoping to see what had changed in twenty years, and what had remained the same.

Of course, only a small portion of the 144,000—some seven hundred couples altogether—were actually in the Arlington, Virginia, hotel ballroom when I entered. The remainder were linked by satellite video transmission, holding parallel celebrations in many remote sites. The participants I saw were a stunningly diverse and engaging group. Well-dressed African-Americans mingled with Sikhs and Buddhists, and there was even one couple wearing traditional Amerindian garb. While the largest turnout came from African-American churches, there were also clergy from (or so it seemed) all the creeds and persuasions of man. As the ceremony got underway, prayers and chants were offered in the traditions of Buddhism, Islam, Judaism, and Jainism, as well as North American Indian spirituality, Hinduism, and Christianity.

Superficially, this ceremony was very different from the grandiose pageant of twenty years ago. Rather than having the couples pass in procession before him as he did in 1982, Moon and his wife (and clergy from other faiths) formed their own procession. He also eschewed the flowing white robes and gilded crowns he normally wears at such ceremonies and instead donned conservative business attire. More importantly, most of the couples present were recommitting to marriages they had already undertaken; very few, if any, were newly matched.

Yet the underlying significance of the ceremony was identical. Nothing I witnessed at that Arlington hotel contradicted Moon's fundamental claim about his Blessing Ceremony: namely, that no marriage is acceptable to God without it. Moreover, Moon's teachings, known as the *Divine Principle*, assert that the Holy Wine—a consecrated wine that is served to committed couples before the public wedding—literally frees those who partake of it, along with their subsequently born children, from original sin. They are then free to propagate a sinless and increasingly perfect world.

This, I believe, is the source of Moon's mesmerizing draw and power: the elusive (and illusory) vision of Paradise on Earth. One might justifiably describe Moon as a peddler of Paradise—or even a Paradise pusher—because this dream can take on the spellbinding lure of an addictive substance.

The messianic ministry of Sun Myung Moon began in 1936, when Jesus allegedly appeared to him in a vision to commission him as his earthly successor. Moon was then just sixteen years old.

In the harrowing years that followed—according to the hagiographic legends I once heard repeatedly—Moon urgently sought to comprehend the mysteries of the Bible. After nearly a decade of desperate, tearful prayers, he discovered the fundamental teachings of the *Divine Principle*.

Among these ideas is the claim that the Fall of Adam and Eve was actually brought about by an act of sexual impropriety. The eating of the fruit from the forbidden tree symbolizes an illicit sexual act which polluted their blood lineage, with the result that henceforth their descendants would inherit original sin. To resolve this predicament, God appointed Jesus to lead the world back to its state before the Fall. Jesus was to have married and then, in turn, to have blessed all mankind in

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marriage, thus liquidating original sin through a ceremony similar to Moon's Holy Wine Ceremony.

However, Jesus failed to gather a significant following in his day, and he could not even create a sufficient "spiritual base" upon which to marry. Therefore, he had to be sacrificed on the cross so that sincere believers could enter Paradise in the afterlife. Finally, with the advent of Sun Myung Moon, God was able to return to His original plan of a married savior who would build the Kingdom of Heaven on Earth.

It must be noted, however, that when Unificationists speak of Jesus as "Lord and Savior," they intend those words in ways that depart markedly from their customary meanings in Christianity. To a Unificationist, Jesus is a Savior "only" in the spiritual sense, since he merely opens the way to Paradise in the afterlife, but not on this Earth. Furthermore, to Unificationists, Jesus is "Lord" only in the narrow sense of a spiritual master or a great individual; he is not literally God in the flesh. On this point, my 1973 edition of the *Divine Principle* is emphatic: "Jesus, as a man having fulfilled the purpose of creation, is one body with God. So, in light of his deity, he may well be called God. Nevertheless, he can by no means be God Himself."

While the significance of the Blessing Ceremony is unaltered since 1982, the target audience Moon hopes to influence through the ceremony has changed markedly. The Madison Square Garden wedding, which received heavy media coverage, was the high water mark of Moon's original scheme for conquering America, in which he hoped to build a mass movement that would sweep the nation with its fervor and idealism. In the late 1970s, when I was a new member, I was often told that by 1981 most Americans would have embraced "True Father" and would be turning out in droves to hear lectures on the *Divine Principle*. The 1982 mass wedding was probably originally conceived as the crowning gala of this expected Pentecost of conversion.

Nineteen-eighty-one dawned, however, with no sign of the predicted mass conversion. By then, the swelling tide of membership in the American branch of the Unification Church had crested at a mere five thousand members. Even so, Moon plowed ahead with his mass wedding, relying on Japanese and European recruits to bolster his faltering numbers. By 1984, however, it was clear that he had reached the end of the line with his original plan for converting America. In that year, he was convicted in U.S. federal court of income tax fraud and began serving thirteen months of an eighteen-month term in a Danbury, Connecticut, prison.

During his incarceration Moon had plenty of time to ponder the error of his ways. Nevertheless, it was not the allegations of tax fraud that haunted his waking hours; these he shrugged off as mere trumped-up charges. Rather, it was the errors in his strategy to conquer America that troubled him.

At some point during those thirteen months, Moon came to a decision. He would no longer concentrate on converting individuals to his cause; rather, he would focus on winning allies and fellow travelers—be they politicians, churchmen, or members of the media—who would support limited portions of his agenda without wholly converting to his faith.

Using his *Washington Times* newspaper to lead the charge, Moon shifted his focus to an anti-Communist political agenda centered on his new organization, CAUSA, which was an alliance of politicians and organizations covering the range of the political right. CAUSA sponsored seminars attended by Senators, Congressmen, and public officials where they were taught the doctrine of "Godism"—really just a watered-down version of Chapter One of the *Divine Principle*, which ponders questions of ontology and the nature of God.

When communism collapsed, Moon was forced to cast about for a new crusade. Eventually the answer came to him: he would become the savior of the traditional family. He would excoriate divorcées and adulterers, and set himself up as a champion of "family values." Never mind that his current marriage happens to be his third—and that his former daughter-in-law, Nansook Hong, reported in a 1998 memoir that Moon had admitted to her his adulterous affairs.

For his latest crusade, Moon adopted a strategy parallel to the one he had used for CAUSA. Once again, he set up a seemingly independent organization that taught a portion of the *Divine Principle*; but this time he hoped to teach Chapter Two to ministers and priests. (Chapter Two is the section of the *Divine Principle* that reinterprets the Fall of Adam and Eve.) The agency Moon founded and funded for this purpose was the American Clergy Leadership Conference (ACLC), which sponsored the April 2002 wedding.

The participants at that ceremony did not object to some of the more eccentric conventions of a Moon wedding—for example, the earth-shaking shouts of "Mansei!" (which means "Victory for 10,000 years!") at the end of the ceremony. Nor did they seem to mind the open adulation that was expressed for Moon and his wife, who were proclaimed by the emcee as "the True Parents of all mankind!" They had come, dressed in their best attire, for the solemn purpose of recommitting before God to their own marriages—and most of them likely understood little about the true meaning of Moon's Blessing Ceremony. Yet the fact remains that according to the *Divine Principle*, this ceremony signifies that their previous inadequate marriage rite has now been supplanted by the Unification version—the only rite, Unificationists believe, that is truly acceptable in the eyes of God.

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How could clergy of any faith adopt such views, contrary as they are—or even totally alien—to their own doctrines? Certainly, Moon's almost unlimited largesse is part of the reason for his growing influence. In 2001, he gave extravagant gold watches to many of the pastors who worked with him on his "We Will Stand!" speaking tour. At the April wedding, he handed out free vacations to a Caribbean resort.

But the most important reason for Moon's success is surely more than mercenary; the explanation, I believe, lies in the enduring appeal of the millenarian dream. All of humanity longs for a day when "God shall wipe away all tears from their eyes; and there shall be no more death, neither sorrow, nor crying, neither shall there be any more pain" (Revelation 22). Moon would convince us all that this vision is actually attainable; that, indeed, its fulfillment lies tantalizingly near, if only we do all we can to bring it to fulfillment.

This is the glorious dream into which I was seduced in 1976. And it is the same dream that animated that hotel ballroom in Virginia twenty-six years later. As Sun Myung Moon strode triumphantly to center stage, I became caught by the spirit of the occasion. I began to wish that it might be true after all; that here indeed might be the man who would heal all marriages and fashion all parents into unshakably loyal true parents.

The dream of an earthly Paradise dies hard. Like an addict gone clean, I have never forgotten its seductive power. Yet I also knew that to return now would be a terrible mistake. Following the ceremony, as I watched Moon leaving the room with his entourage, and listened to the resounding cheers of the audience, I felt both an urgent call to return to the fold and a compelling need to get away. Yet for the moment I did not move, but simply stood and watched.

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Thirty Years of Empty Promises

Candace C. Crandall

In the long and arduous fight leading up to *Roe v. Wade*, the one thing feminists were most passionate about was their belief that unrestricted access to abortion was indispensable to achieving gender equality. Betty Friedan in 1972 promised that legalizing abortion would make women whole. Advocacy groups, including the National Organization for Women, the National Association for the Repeal of Abortion Laws (now the National Abortion and Reproductive Rights Action League), and the President's Advisory Council on the Status of Women, stood adamantly opposed to any limits, claiming regulation would violate a woman's right to control her body.

When one looks at the data today, noting that half of all women undergoing abortion in 2002 will be having at least their second, and that one of every five will be having at least her third, a number of highly descriptive thoughts come to mind. "In control" isn't one of them.

The successful push for unrestricted abortion on demand, nationwide, rested on two factors. The first was fortuitous timing. In the 1960s, the nation was caught up in the turmoil of three great social movements: civil rights, with its emphasis on effecting sweeping political change via the courts; feminism, with its promise to empower the victims of very real social and economic injustice; and environmentalism, which had fostered nationwide hysteria with claims of an imminent population disaster. The point at which the tenets of these three movements converged was abortion.

The second and more important factor was packaging. Abortion, from the onset, was not a health issue; it was politics. And politics is personal. In 1968, public opinion polls revealed scant support for legalizing abortion. Few Americans anticipated any personal benefit and many had serious moral concerns. But over the next five years, abortion rights advocates overcame Americans' qualms with repeated assurances that when every child was a "wanted" child, broad social benefits would ensue.

According to this argument, illegitimacy would become a thing of the past. Women who found themselves inconveniently pregnant could obtain an abortion and remain in school or in the workforce. Couples would no longer be trapped into miserable, forced marriages. Children would no longer be battered by parents resentful that they were "unplanned."

With an implied reduction in welfare and social services, abortion was transformed in the early 1970s from a moral question into a pocketbook issue. Senator Jacob Javits, for example, described New York's decision to legalize abortion as "a significant step forward in dealing with the human problems of our state."

Members of the Commission on Population Growth, established by President Richard Nixon in 1970, thought so too. In the second of three reports, issued in March 1972, they called for Medicaid-funded abortions as necessary weapons in the war on poverty, noting that "unwanted fertility is highest among those whose levels of education and income are lowest."

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This line of thinking already had powerful support from *The Population Bomb*, the 1968 bestselling book by Stanford biologist Paul Ehrlich. Ehrlich, who cofounded the group Zero Population Growth, warned that humans were rapidly populating themselves out of existence. Within slightly more than a decade, he wrote, all ocean life would die of DDT poisoning. Thousands would perish in smog disasters in New York and Los Angeles. Life expectancy in the United States would plunge to just forty-two years, as pollution-induced cancer epidemics decimated the population.

To much of the public, these forecasts seemed frighteningly plausible. Press reports told of earnest young college girls having themselves surgically sterilized rather than risk bringing any more children into an already overcrowded world. In a controversial two-part episode of the popular CBS sitcom *Maude*, broadcast in 1972, the title character chooses to have an abortion. A *New York Times* reporter later revealed that the show had been prompted by a $5,000 prize offered by the Population Institute for the best prime-time script concerning population control.

Abortion rights advocates, employing the rhetoric of equality, were quick to point out that wealthy women could always obtain a safe abortion, legal or not. Extending access to poor women simply corrected a social injustice. The larger reality, given the environmental scare, was a bit different. If all humanity was sitting on an increasingly overcrowded life raft, many Americans reasoned that it might be unwise to let "the poor" occupy too big a corner. By 1972, Americans were increasingly drawn to the banner of "choice."

But did the nation benefit? Are American women more free?

Paul Ehrlich, a genuine expert on the Checkerspot butterfly, was not such an expert on human populations, as it turned out. His forecasts of impending disaster from overpopulation were never remotely realistic. But neither was the assumption that America could abort poverty out of existence.

Illegitimacy, far from disappearing, has become a serious social problem. In 1970, just 10.7 percent of all births were to unmarried mothers. By 1975, after *Roe*, the illegitimacy rate in the United States had jumped to 14.5 percent. Nearly 70 percent of black children and 33 percent of all children are born out of wedlock today. Divorce rates have multiplied, as have reported incidences of child abuse.

What about the familiar refrain that abortion should be a matter between a woman and "her" doctor, the so-called right to privacy? *Roe* hinged on this issue. The reality, today as in 1972, is that a woman's personal physician is unlikely to perform abortions. Two surveys—one by the American College of Obstetrics and Gynecologists in 1985, the other by the Kaiser Family Foundation in 1995—found that two-thirds of the obstetricians and gynecologists in practice in the United States, especially women and those under forty, refuse to do abortions under any circumstances. The reasons offered only rarely had to do with public pressure from anti-abortion activists. Most cited religious scruples or simply said they didn't like doing abortions. Of the one-third that do perform abortions, a majority perform four or fewer per month. That leaves most to specialized abortion clinics that offer women with unplanned pregnancies little in the way of counseling or emotional support.

Of course, the most powerful of the pro-choice arguments was that failure to legalize abortion would leave five to ten thousand women a year bleeding to death from coat-hanger abortions or dying from systemic infections incurred at the hands of "back-alley butchers."

Had anyone bothered to research that claim, then or since, they would have learned that every aspect of it was a myth. Death rates from infections and all types of surgeries, including illegal abortions, had already fallen precipitously after World War II, when antibiotics finally became available to the general public. But at no time, even before penicillin and sulfa drugs, had the number of abortion fatalities come anywhere close to the five thousand to ten thousand figure most often cited.

In 1940, the National Center for Health Statistics confirmed just 1,313 deaths from illegal abortions, most of them from infection. As antibiotics became available and surgical techniques improved generally, abortion-related deaths fell sharply: 159 deaths in 1966, forty-one in 1972, the year before *Roe*.

Activists contend that most deaths were covered up. But if so, one would still have expected to see a decline in the overall death rate among women after 1973, when abortion became legal nationwide. According to Centers for Disease Control statistics, the death rate among women aged fifteen to thirty-four, the group that today accounts for 94 percent of all abortions in the United States, saw no significant change in the years immediately after *Roe*.

Nor were the abortionists of the 1950s and '60s necessarily untrained: Dr. Mary Calderone, a former medical director for Planned Parenthood, estimated in the *American Journal of Public Health* in 1960 that nine out of ten illegal abortions were already being performed by licensed doctors.

In this there is no little irony. Prior to *Roe v. Wade*, the fact that these doctors were breaking the law kept the numbers of abortions relatively low—as few as 200,000 a year by some estimates—and effectively discouraged most from taking unnecessary risks. Legalization removed that constraint. An unscrupulous abortion doctor could now advertise openly, confident that he

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would be shielded by abortion rights rhetoric that uniformly proclaimed him a hero, even if his motives were something other than compassion.

Only a year after abortion was legalized in New York state in 1970, writer Susan Edmiston noted with alarm in the *New York Times Magazine* that state health department officials were failing to supervise the numerous abortion clinics that had sprung up throughout the city, establish accurate data collection, or take any action on complaints that were already flooding in. Reporters were turning up similar problems in Los Angeles and the District of Columbia.

Stories like these have been consistently ignored. In 1974, the *Detroit Free Press* found unsafe, unlicensed abortion clinics proliferating in the Detroit area. In 1978, a five-month investigation by the *Chicago Sun-Times* uncovered dangerous medical practices at abortion clinics along Chicago's Michigan Avenue. In 1991, after several gruesome New York abortion cases made national headlines, the *New York Times*, in a front page article, found "filth" and "butchery" at dozens of shabby, unlicensed clinics tucked away behind storefronts or—to evade state regulators—operating out of ordinary-looking doctors' offices, most often in poor neighborhoods.

How much bad medicine is glossed over in the name of choice isn't known. It's impolitic for health agencies to keep good data on deaths and injuries at abortion clinics. And since the much publicized shootings at these clinics, newspapers have shown a reluctance even to report such events. But anyone can sit down at a computer, as I did, and pull up hundreds of newspaper accounts documenting a long history of death, injury, and fraud at walk-in abortion clinics in Atlanta, Houston, St. Louis, Miami, Boston, Los Angeles, Chicago, Detroit, Birmingham, Kansas City, and many other cities. In this atmosphere, supporters' repeated references to abortion as a "vital health service" and to attempts to regulate clinics as "threats to women's safety" begin to ring hollow.

The past decade has been an especially tough one for the abortion rights movement; morale has visibly collapsed. Six years ago, a hard-fought and very public congressional debate over so-called partial-birth abortions—a procedure in which the physician partly delivers a late-term fetus feet first, then kills it by piercing its skull with scissors, attaching a high-powered suction device and sucking out its brain—revealed not only a disturbing brutality toward the unborn but also the widespread occurrence in this country of second- and third-trimester abortions. Facing a horrified public, abortion rights advocates remained rigid ideologues.

With abortion becoming increasingly controversial and the vast majority of doctors reluctant to participate—or medical schools even to teach abortion techniques—advocates turned to RU-486 and other abortion-inducing drugs. Now claims of a too quick approval of RU-486 by the Food and Drug Administration and reports of deaths among seemingly healthy women who used the drug are raising alarms. And this type of abortion, in which the dead fetus is passed in the toilet or shower, with the woman herself as sole witness, may be even more emotionally traumatic than the various surgical procedures. Chemically induced abortions certainly do nothing to reassure the public that abortion is "humane."

Some of abortion's most ardent supporters are expressing doubts. *Roe* poster girl Norma McCorvey, overwhelmed by feelings of guilt, defected in 1996. Germaine Greer, though still holding tight to feminist ideology, complained in her 1999 book *The Whole Woman* that abortion had become just one more oppression—this time from a male-dominated medical establishment that failed to inform women of the risks. She should know. By her own admission, several abortions have left her sterile.

For advocates of choice, surveys of public opinion have become more and more grim. A 1998 Wirthlin poll found that 58 percent of American women felt that abortion had hindered their relationships with men, and 70 percent of men and women believed that legal abortion is not necessary for women to pursue various educational and career goals. A January 1999 survey of 275,811 incoming college freshman by the Higher Education Research Institute showed that just 52.5 percent of men and 49.5 percent of women thought abortion should be legal—a decline of 14 percentage points since 1990 in an age group typically more pro-choice than any other. In 2000, a *Los Angeles Times* poll showed that just 43 percent of Americans support a continuation of *Roe v. Wade*, down from 56 percent in 1991.

In the last presidential race, while 27 percent of those polled by the *Los Angeles Times* said they were more likely to vote for George W. Bush because he was pro-life, just 18 percent said the same for Al Gore because he was pro-choice.

Nationwide, the number of abortions has been dropping since 1990. But a potentially more significant number was announced this past summer by the U.S. Census Bureau. Drawing on year 2000 data, the Bureau reported that for the first time in three decades the U.S. birth rate is up. Kids are no longer being regarded as a threat to the planet or Mom's ball and chain. Where the two-child limit was once the hallmark of social responsibility, young couples are opting for more.

Initially hailed as a woman's ticket out of the kitchen and into the boardroom, abortion today has become increasingly associated with sexual irresponsibility and

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moral degradation. From a proclamation of independence, a woman's admission that she has had an abortion has now become the kind of public announcement that makes men, and other women, cringe, regardless of their politics.

The ability of abortion to galvanize public opinion, to claim influence over election outcomes, is over. Americans looked at *Roe v. Wade* and found nothing in it for them. Should the opportunity arise, the nation may finally be ready to see the abortion issue returned to the state legislatures, where it should have remained some thirty years ago.

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What Else to Expect When You're Expecting

Agnes R. Howard

Last Christmas our parish hall displayed a Nativity painting by a local artist, showing a dark-haired woman in a wheelchair holding an infant, with a man in hospital scrubs standing solicitously behind them. The scene was instantly recognizable to anyone who has had a baby in this country in the last few decades. It was a typical hospital birth: the just-delivered mother bonding with her newborn, the father outfitted as birth assistant. Here was Madonna as *primipara*, what doctors call a woman delivering her firstborn.

It is, of course, nothing new for artists to interpret the Incarnation in contemporary settings. Still, the picture is revealing. Presumably it made sense to the artist to portray history's most important birth this way because the image so comports with our current impressions of what childbirth *looks* like. Indeed, we take for granted the doctor-and-hospital trappings of childbearing, even though our way of having babies is comparatively new and unusual in world-historical terms. While medicine provides great benefits for the health of both mothers and children, elements of this system might give us pause, particularly as technological and market imperatives redefine the experience of pregnancy.

Like so many other spheres of life, having a baby is now a matter of choice. Contraception lets women choose whether to bear a child at all. Legal abortion lets them choose not to have one already conceived. Social and career considerations encourage that babies be timed appropriately. To be sure, there are plenty of "unplanned" pregnancies, yet even that figure of speech reinforces the norm that having a baby is something one elects to do. Because pregnancy is no longer a taken-for-granted part of female adulthood but a highly deliberate act, women tend to view it as an epochal undertaking to be done right.

Though some expectant mothers choose midwives and birth centers to assist them in this goal, the majority still sees two lines on a home pregnancy test as a prompt to call the OB. Why? To begin with, we view doctors as the experts competent to help insure that pregnancy has a good outcome: a healthy baby. But something else, less easy to articulate, also drives women faithfully to prenatal appointments. In part, it is that doctors ratify mothers' perception that what is happening to their bodies and babies is amazing, deserving special attention and honor.

Doctors now can tell—and show—us what is happening inside the womb, and their interpretation of pregnancy is the one we recognize as authoritative. Physicians tell women what to expect, and lo, those things often come to pass. They forewarn that skin may itch and noses bleed and teeth become more subject to decay, and then patients observe those things happening. Pregnant women master medical jargon to describe themselves, attributing discomforts and development to hormones like hCG and estrogen and oxytocin, counting days in gestational weeks, and when labor comes, reporting progress in terms of effacement percentage and dilation (expressed in precise metric measure). Adopting this terminology is a way for women to mark this remarkable period in life. It seems to deserve a special language, and we really have no other such vocabulary in which to describe it. There is something to this. It is one way of demarcating these nine months as distinct from the rest of life, when the only soul a woman carries around in her body is her own.

Yet in the role of enhancing the experience and appreciation of pregnancy, medicine is limited. Maternity patients look for more from their doctors than simply information that such-and-such side effects accompany gestation, or even simply why, in physical terms, these things happen. While Doppler heartbeat monitors and ultrasound apparatus can reveal what used to be veiled in flesh, plenty is left mysterious. Madonna can be passed off as *primipara* in a painting because women today recognize childbirth as a medical event, but they have known all along that it is a spiritual

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one. Exactly because this is such a sensitive time can women imagine parallels between the Virgin Mother and their own childbearing. Pregnancy practically cries out for spiritual reflection, so obvious is it that the giving over of one's body to new life reveals deep meaning, beyond explanations articulated by biochemistry.

If pregnancy were experienced only in the abdomen, there might be little else to explain. But being pregnant is not just about the big belly. Pregnancy manifests itself throughout the body: making one sick at the smell of hamburgers, or dizzy or disoriented at unlikely times; making ankles swell and feet expand so normal shoes don't fit; inscribing evidence of itself all over the skin, from dark splotches on the face to little tears wherever the body stretches thin, to the dark line, the *linea nigra*, that descends from the navel and bisects the belly. The mind does not stand aloof either, as pregnancy raises anxieties, generates unsettling dreams, makes the memory fuzzy—or, as one guidebook puts it, prompts the mother to address "unresolved problems or other 'baggage' that was never properly unloaded." Finding herself at once bearing fruit and going to seed, a woman might reasonably request theological counsel.

Scores of books in print bear witness to this need, though they are not very good at filling it. For Christians there are expectant-mother devotionals, and for the public at large there is no shortage of sentimental or new-agey meditations. Both sorts of books tend to offer diffuse and insubstantial reflections about the cuddly one-to-be. And bestselling manuals like *What to Expect When You're Expecting* just present medical information in layman's language.

Clinical definitions tell a woman a lot about what is happening to her but do not give her much help in connecting these events with any larger scheme of meaning. Medicine might happily concede the point on the grounds that spiritualizing pregnancy falls outside its job description. Now that women look primarily to doctors for explication of pregnancy, though, it is not entirely clear where else they might look. And there are deeper concerns that proceed from our practice of entrusting pregnancy to medicine. We have learned to expect doctors to provide a healthy baby. That way of thinking, however, can encourage both doctors and patients to do things they should not in order to get a healthy baby.

Prenatal care includes batteries of tests—blood pressure, blood sugar, weight gain, and so forth—aimed to check whether mother and child are progressing normally. Tests for genetic abnormalities are now offered alongside these. For mothers in their thirties, alpha-fetoprotein screens and amniocentesis are on their way to becoming standard. Even when no one forces her decision, the very fact of genetic screening pressures a woman to have the tests and, if defects are detected, to consider ending the pregnancy. Childbearing is so founded on choice, and medicine so firmly established as the means to a good outcome, that a "quality-assurance" mentality can be hard to avoid altogether.

Related dilemmas, and even harder ones, arise in cases of infertility, when desire for children may lead couples to seek a baby through some of the mind-boggling techniques now available. Beyond in vitro fertilization of the parents' own sperm and egg come variations with donated or contracted sperm, egg, or uterus; sperm sorting to get a child of a preferred sex; preimplantation genetic diagnosis to develop stronger embryos and sort out weaker ones; even cytoplasmic transfer of cellular material from another woman's egg to the hopeful mother's ovum, to make the latter more robust while maintaining that genetic material passed to the fetus is still (mostly) the mother's own.

These methods—let alone cloning and other genetic manipulations currently under research—might seem like sci-fi fantasies to the average pregnant woman, remote from her experience. But so firmly are we in the habit of expecting medicine and technology to improve baby-making that we may be predisposed to take up whatever researchers offer us. High-tech intervention is already such a part of normal pregnancy that new, ethically questionable methods of screening and engineering could blend easily into the prenatal program that women now view as routine. In the face of reproductive breakthroughs, even couples who favor making babies at home might be won over. Why trust the health and well-being of one's child to sex when there is so much at stake? Technologies that seem unsavory in the abstract can seem more palatable if they stand to benefit (or help create) one's own children.

American women who become pregnant are likely to find themselves caught between two contradictory cultural impulses. On the one hand, women are edging away from standard hospital procedures in search of more natural births. Critics from feminists to anthropologists to midwifery advocates have faulted the assembly-line quality or even "patriarchal" domination of hospital delivery. Conscious of the market, many hospitals now advertise homey looking "birthing suites," big tubs for water labor, and beds fitted with squatting bars. Yet even as trends pull delivery toward a more natural sphere, women consign enormous aspects of the childbearing process to technology, especially when there is trouble conceiving. In a culture that practically worships reproductive choice, prenatal care is one of the few contexts where pregnancy is accorded the respect it deserves. But pregnancy can be acutely vulnerable in that very same context, when destruction of human life appears as a sanitized, standard procedure.

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Of course, all this is not to insist that childbirth be removed from the realm of medicine. But Christian communities, drawing on both Scripture and tradition, should foster ways of thinking about pregnancy beyond the clinical narrative. Reviving the language of procreation is a way to begin. Instead of casting pregnancy primarily as a partnership between physicians and patients, procreation calls mothers and fathers into cooperation "with the Creator in the marvelous task of giving life to a new human being," in the words of Pope John Paul II. A woman undertaking such a task is doing more than following prescriptions to watch her diet and exercise; she is embarked on a discipline with its own kind of fasting, abstinence, and sometimes even suffering. Faithfulness in the process matters, not just the outcome.

The process brings instruction in motherhood even before the baby is born, making plain the frailty of the body, the profound overlap of human life, and the limits on our ability to determine our own offspring. This last lesson may be most critical, given the age we inhabit. Learning to honor a child as a created human life, entrusted in sickness and in health, can lead parents out of the creeping temptation of expecting only perfect babies.

Reflecting deeply on the meaning of "normal" pregnancy may help us speak more wisely about the potential perils of pregnancy directed by biotechnology. The fact that Jesus saw fit to liken the Apostles' reaction to his death and resurrection to a mother's grief and joy in birth suggests that men and women both would profit from thinking well about childbearing.

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St. Peter's Square

The great bell tolls midnight
stirring echoes: emperors,
martyrs, prophets in chains.

Above Rome's Seven Hills
life and death still wrestle
in a match already won.

The last toll rolls like a tide
through Bernini's columns,
over the ramparts, and disappears.

And for just an instant I am
at the center of all my selves,
before I set out head-bowed,

stone by stone across the piazza
with no one in the world to tell.

Tim Kelleher

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Moral Clarity in a Time of War

George Weigel

In Book Three of Tolstoy's epic, *War and Peace*, the hero, Pierre Bezukhov, arrives at the battlefield of Borodino to find that the fog of war has descended, obscuring everything he had expected to be clear. There is no order, there are no familiar patterns of action, all is contingency. He could not, Count Bezukhov admits, "even distinguish our troops from the enemy's." And the worst is yet to come, for once the real fighting begins, chaos takes over in full.

From the *Iliad* to Tolstoy and beyond, that familiar trope, "the fog of war," has been used to evoke the millennia-old experience of the radical uncertainty of combat. The gut-wrenching opening scenes of *Saving Private Ryan* brought this ancient truth home to a new generation of Americans: in even the most brilliantly planned military campaign, such as the Allied invasion of Normandy, contingency is soon king, and overcoming it draws on a man's deepest reserves of courage and wit.

Some analysts, however, take the trope of "the fog of war" a philosophical step further and suggest that warfare takes place beyond the reach of moral reason, in a realm of interest and necessity where moral argument is a pious diversion at best and, at worst, a lethal distraction from the deadly serious business at hand.

To which men and women formed by biblical religion, by the great tradition of Western moral philosophy, or by the encounter between biblical religion and moral philosophy that we call moral theology must say: "No, that is a serious mistake." Nothing human takes place outside the realm or beyond the reach of moral reason. Every human action takes place within the purview of moral judgment.

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Thus moral muteness in a time of war *is* a moral stance: it can be a stance born of fear; it can be a stance born of indifference; it can be a stance born of cynicism about the human capacity to promote justice, freedom, and order, all of which are moral goods. But whatever its psychological, spiritual, or intellectual origins, moral muteness in wartime is a form of moral judgment—a deficient and dangerous form of moral judgment.

That is why the venerable just war tradition—a form of moral reasoning that traces its origins to St. Augustine in fifth-century North Africa—is such an important *public* resource. For fifteen hundred years, as it has been developed amidst the historical white water of political, technological, and military change, the just war tradition has allowed men and women to avoid the trap of moral muteness, to think through the tangle of problems involved in the decision to go to war and in the conduct of war itself—and to do all that in a way that recognizes the distinctive realities of war. Indeed, in the national debate launched by the war against terrorism and the threat of outlaw states armed with weapons of mass destruction, we can hear echoes of the moral reasoning of Augustine and his successors:

What is the just cause that would justify putting our armed forces, and the American homeland, in harm's way?

Who has the authority to wage war? The President? The President and Congress? The United States acting alone? The United States with a sufficient number of allies? The United Nations?

Is it ever right to use armed force first? Can going first ever be, not just morally permissible, but morally imperative?

How can the use of armed force contribute to the pursuit of justice, freedom, and order in world affairs?

That these are the questions that instinctively emerge in the American national debate suggests that

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the just war tradition remains alive in our national cultural memory. And that is a very good thing. But it is also a somewhat surprising thing, for the past thirty years have witnessed a great forgetting of the classic just war tradition among those who had long been assumed to be its primary intellectual custodians: the nation's religious leaders, moral philosophers, and moral theologians. That forgetting has been painfully evident in much of the recent commentary from religious leaders in the matter of U.S. policy toward Iraq, commentary that is often far more dependent on political and strategic intuitions of dubious merit than on solid moral reasoning. The fact of the matter today is that the just war tradition, as a historically informed method of rigorous moral reasoning, is far more alive in our service academies than in our divinity schools and faculties of theology; the just war tradition "lives" more vigorously in the officer corps, in the Uniform Code of Military Justice, and at the higher levels of the Pentagon than it does at the National Council of Churches, in certain offices at the United States Conference of Catholic Bishops, or on the Princeton faculty. (There are different degrees of forgetfulness here, of course, and recent statements by the U.S. Catholic bishops on the question of Iraq were of a higher degree of intellectual seriousness than the effusions of other national religious bodies. But the bishops' statements did, I would argue, continue a pattern of just war forgetfulness whose origins I shall discuss below.)

This "forgetting" in the places where the just war tradition has been nurtured for centuries has led to confusions about the tradition itself. Those confusions have, in turn, led to distorted and, in some cases, irresponsible analyses from the quarters to which Americans usually look for moral guidance. That is why it is imperative that the just war tradition be retrieved and developed in these first perilous years of the twenty-first century. At issue is the public moral hygiene of the Republic—and our national capacity to think with moral rigor about some very threatening realities of today's world.

In one of last year's most celebrated books, *Warrior Politics*, veteran foreign correspondent Robert Kaplan suggested that only a "pagan ethos" can provide us with the kind of leadership capable of safely traversing the global disorder of the twenty-first century. Kaplan's "pagan ethos" has several interlocking parts. It is shaped by a tragic sense of life, one that recognizes the ubiquity, indeed inevitability, of conflict. It teaches a heroic concept of history: fate is not all, and wise statecraft can lead to better futures. It promotes a realistic appreciation of the boundaries of the possible. It celebrates patriotism as a virtue. And it is shaped by a grim determination to avoid "moralism," which Kaplan (following Machiavelli, the Chinese sage Sun-Tzu, and Max Weber) identifies with a morality of intentions, oblivious to the peril of unintended or unanticipated consequences. For Kaplan, exemplars of this "pagan ethos" in the past century include Theodore Roosevelt, Winston Churchill, and Franklin Roosevelt.

Reading *Warrior Politics*, and reflecting on the concept of morality that informs it, reminded me of an old story related by Father John Courtney Murray, S.J. During the Korean War, the proudly Protestant Henry Luce, son of China missionaries, found himself confused by the debate over "morality and foreign policy" that Harry Truman's "police action" had stirred up. What, Luce asked Fr. Murray, did foreign policy have to do with the Sermon on the Mount? "What," Fr. Murray replied, "makes you think that morality is identical with the Sermon on the Mount"? Kaplan, a contemporary exponent of foreign policy realism, seems to share Henry Luce's misimpression that in the classic tradition of the West the moral life is reducible to the ethics of personal probity and interpersonal relationships, the implication being that issues of statecraft exist somewhere "outside" the moral universe. The just war tradition takes a very different view.

As indicated above, the classic tradition insists that no aspect of the human condition falls outside the purview of moral reasoning and judgment—including politics. Politics is a human enterprise. Because human beings are creatures of intelligence and free will—because human beings are inescapably *moral* actors—every human activity, including politics, is subject to moral scrutiny. There is no Archimedean point outside the moral universe from which even the wisest "pagan" statesman can leverage world politics.

Indeed, what Kaplan proposes as a "pagan ethos" is a form of moral reasoning that would be enriched by a serious encounter with the classic just war tradition. One need not be a "pagan," as Kaplan proposes, to understand the enduring impact of original sin on the world and its affairs; Genesis 1-3 and a good dose of Augustine's *City of God* will do the job just as well, and arguably better. One need not be a "pagan" to be persuaded that moral conviction, human ingenuity, and wise statecraft can bend history's course in a more humane direction; one need only reflect on the achievement of Pope John Paul II and the church-based human rights resistance in Central and Eastern Europe in helping rid the world of the plague of communism.

A realistic sense of the boundaries of the humanly possible in given situations is not foreign to the classic moral tradition of the West; prudence, after all, is one of the cardinal virtues. Nor is patriotism necessarily "pagan"; indeed, in a country culturally configured like the United States, patriotism is far more likely to be sus-

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tained by biblical rather than "pagan" moral warrants. As for "moralism" and its emphasis on good intentions, I hope I shall not be thought unecumenical if I observe that that is a Protestant problem, and that Catholic moral theology in the Thomistic stream is very dubious about voluntaristic theories of the moral life and their reduction of morality to a contest between the divine will and my will. (See "A Better Concept of Freedom," FT, March 2002.)

Kaplan notwithstanding, we can get to an ethic appropriate for leadership in world politics without declaring ourselves "pagans." And, as Brian Anderson has argued in a thoughtful review of Kaplan's book in *National Review*, we can get there while retaining "a crucial place for a transcendent *ought* that limits the evil governments can do." An ethic for world politics can be built against an ampler moral horizon than Kaplan suggests.

As a tradition of statecraft, the just war argument recognizes that there are circumstances in which the first and most urgent obligation in the face of evil is to stop it. Which means that there are times when waging war is morally necessary to defend the innocent and to promote the minimum conditions of international order. This, I suggest, is one of those times. Grasping that does not require us to be "pagans." It only requires us to be morally serious and politically responsible. Moral seriousness and political responsibility require us to make the effort to "connect the dots" between means and ends.

Thus the just war tradition is best understood as a sustained and disciplined intellectual attempt to relate the morally legitimate use of proportionate and discriminate military force to morally worthy political ends. In this sense, the just war tradition shares Clausewitz's view of the relationship between war and politics: unless war is an extension of politics, it is simply wickedness. For Robert Kaplan, Clausewitz may be an archetypal "pagan." But on this crucial point, at least, Clausewitz was articulating a thoroughly classic just war view of the matter. Good ends do not justify any means. But as Fr. Murray liked to say, in his gently provocative way, "If the end doesn't justify the means, what does?" In the classic just war tradition of statecraft, what "justifies" the resort to proportionate and discriminate armed force—what makes war make moral sense—is precisely the morally worthy political ends being defended and/or advanced.

That is why the just war tradition is a theory of statecraft, not simply a method of casuistry. And that intellectual fact is the first thing about the just war tradition that must be retrieved today if we seek a public moral culture capable of informing the national and international debate about war, peace, and international order.

The second crucial idea to be retrieved in the contemporary renewal of the just war tradition is the distinction between *bellum* and *duellum*, between warring and "duelling," so to speak. As intellectual historian and just war theorist James Turner Johnson has demonstrated in a number of seminal works, this distinction is the crux of the matter in moral analysis. *Bellum* is the use of armed force for *public* ends by *public* authorities who have an *obligation* to defend the security of those for whom they have assumed responsibility. *Duellum*, on the other hand, is the use of armed force for *private* ends by *private* individuals. To grasp this essential distinction is to understand that, in the just war tradition, "war" is a moral category. Moreover, in the classic just war tradition, armed force is not inherently suspect morally. Rather, as Johnson insists, the classic tradition views armed force as something that can be used for good or evil, depending on who is using it, why, to what ends, and how.

Thus those scholars, activists, and religious leaders who claim that the just war tradition "begins" with a "presumption against war" or a "presumption against violence" are quite simply mistaken. It does not begin there, and it never did begin there. To suggest otherwise is not merely a matter of misreading intellectual history (although it is surely that). To suggest that the just war tradition begins with a "presumption against violence" inverts the structure of moral analysis in ways that inevitably lead to dubious moral judgments and distorted perceptions of political reality.

The classic tradition, as I have indicated, begins with the presumption—better, the moral judgment—that rightly constituted public authority is under a strict moral obligation to defend the security of those for whom it has assumed responsibility, even if this puts the magistrate's own life in jeopardy. That is why Thomas Aquinas locates his discussion of *bellum iustum* within the treatise on charity in the *Summa Theologiae* (II-II, 40.1). That is why the late Paul Ramsey, who revivified Protestant just war thinking in America after World War II, described the just war tradition as an explication of the public implications of the Great Commandment of love-of-neighbor (even as he argued that the commandment sets limits to the use of armed force).

If the just war tradition is a theory of statecraft, to reduce it to a casuistry of means-tests that begins with a "presumption against violence" is to begin at the wrong place. The just war tradition begins by defining the moral responsibilities of governments, continues with the definition of morally appropriate political ends, and only then takes up the question of means. By reversing the analysis of means and ends, the "presumption against violence" starting point collapses *bellum* into *duellum* and ends up conflating the ideas of "violence" and "war." The net result is that warfare is stripped of its

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distinctive moral texture. Indeed, among many American religious leaders today, the very notion of warfare as having a "moral texture" seems to have been forgotten.

The "presumption against violence" starting point is not only fraught with historical and methodological difficulties. It is also theologically dubious. Its effect in moral analysis is to turn the tradition inside-out, such that war-conduct (*in bello*) questions of proportionality and discrimination take theological precedence over what were traditionally assumed to be the prior war-decision (*ad bellum*) questions: just cause, right intention, competent authority, reasonable chance of success, proportionality of ends, and last resort. This inversion explains why, in much of the religious commentary after the terrorist attacks of September 11, 2001, considerable attention was paid to the necessity of avoiding indiscriminate noncombatant casualties in the war against terrorism, while little attention was paid to the prior question of the moral obligation of government to pursue national security and world order, both of which were directly threatened by the terrorist networks.

This inversion is also theologically problematic because it places the heaviest burden of moral analysis on what are inevitably contingent judgments. There is nothing wrong, per se, with contingent judgments; but they are *contingent*. In the nature of the case, we can have less surety about *in bello* proportion and discrimination than we can about the *ad bellum* questions. As I hope I have shown above, the tradition logically starts with *ad bellum* questions because the just war tradition is a tradition of statecraft: a tradition that attempts to define morally worthy political ends. But there is also a theo-logic—a theological logic—that gives priority to the *ad bellum* questions, for these are the questions on which we can have some measure of moral clarity.

The "presumption against violence" and its distortion of the just war way of thinking can also lead to serious misreadings of world politics. One such misreading, precisely from this intellectual source, may be found in the 1983 U.S. bishops' pastoral letter, "The Challenge of Peace" (TCOP). TCOP was deeply influenced by the emphasis laid on questions of *in bello* proportionality and discrimination because of the threat of nuclear war. No doubt these were important issues. But when that emphasis drove the moral analysis, as it did in TCOP, the result was a distorted picture of reality and a set of moral judgments that contributed little to wise statecraft. Rather than recognizing that nuclear weapons were one (extremely dangerous) manifestation of a prior conflict with profound moral roots, the bishops' letter seemed to suggest that nuclear weapons could, somehow, be factored out of the conflict between the West and the Soviet Union by arms control. And in order to achieve arms control agreements with a nervous, even paranoid, foe like the Soviet Union, it might be necessary to downplay the moral and ideological dimensions of the Cold War. That, at least, was the policy implication of the claim that the greatest threat to peace (identified as such because *in bello* considerations and the "presumption against violence" trumped everything else) was the mere possession of nuclear weapons.

The opposite, of course, turned out to be true. Nuclear weapons were not the primary threat to peace; communism was. When communism went, so did the threat posed by the weapons. As the human rights resistance in Central and Eastern Europe brought massive regime change inside the Warsaw Pact, creating dynamics that eventually led to the demise of the USSR itself, the risks of nuclear war were greatly diminished and real disarmament (not "arms control") began. The "presumption against violence" starting point, as manifest in TCOP, produced a serious misreading of the political realities and possibilities.

The claim that a "presumption against violence" is at the root of the just war tradition cannot be sustained historically, methodologically, or theologically. If the just war tradition is a tradition of statecraft, and if the crucial distinction that undergirds it is the distinction between *bellum* and *duellum*, then the just war tradition cannot be reduced, as too many religious leaders reduce it today, to a series of means tests that begins with a "presumption against violence." To begin here—to imagine that the role of moral reason is to set a series of hurdles (primarily having to do with *in bello* questions of proportionality and discrimination) that statesmen must overcome before the resort to armed force is given moral sanction—is to begin at the wrong place. And beginning at the wrong place almost always means arriving at the wrong destination.

Fifteen years ago, before I had learned something about literary marketing, I published a book entitled *Tranquillitas Ordinis: The Present Failure and Future Promise of American Catholic Thought on War and Peace*. There I argued that, as a theory of statecraft, the just war tradition contained within itself a *ius ad pacem*, in addition to the classic *ius ad bellum* (the moral rules governing the decision to go to war) and *ius in bello* (the rules governing the use of armed force in combat). By coining the phrase *ius ad pacem*, I was trying to prise out of the just war way of thinking a concept of the peace that could and should be sought through the instruments of politics—including, if necessary, the use of armed force. Like the just war tradition itself, this concept of peace finds its roots in Augustine: in *The City of God*, peace is *tranquillitas ordinis*, the "tranquillity of order," or as I preferred to render it in more contem-

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porary terms, the peace of "dynamic and rightly ordered political community."

In Augustine's discussion of peace as a *public* or political issue, "peace" is not a matter of the individual's right relationship with God, nor is it a matter of seeking a world without conflict. The former is a question of interior conversion (which by definition has nothing to do with politics), and the latter is impossible in a world forever marked, even after its redemption, by the *mysterium iniquitatis*. In the appropriate *political* sense of the term, peace is, rather, *tranquillitas ordinis*: the order created by just political community and mediated through law.

This is, admittedly, a humbler sort of peace. It coexists with broken hearts and wounded souls. It is to be built in a world in which swords have not been beaten into plowshares, but remain swords: sheathed, but ready to be unsheathed in the defense of innocents. Its advantage, as Augustine understood, is that it is the form of peace that can be built through the instruments of politics.

This peace of *tranquillitas ordinis*, this peace of order, is composed of justice and freedom. The peace of order is not the eerily quiet and sullen "peace" of a well-run authoritarian regime; it is a peace built on foundations of constitutional, commutative, and social justice. It is a peace in which freedom, especially religious freedom, flourishes. The defense of basic human rights is thus an integral component of "work for peace."

This is the peace that has been achieved in and among the developed democracies. It is the peace that has been built in recent decades between such traditional antagonists as France and Germany. It is the peace that we defend within the richly diverse political community of the United States, and between ourselves and our neighbors and allies. It is the peace that we are now defending in the war against global terrorism and against aggressor states seeking weapons of mass destruction.

International terrorism of the sort we have seen since the late 1960s, and of which we had a direct national experience on September 11, 2001, is a deliberate assault, through the murder of innocents, on the very possibility of order in world affairs. That is why the terror networks must be dismantled or destroyed. The peace of order is also under grave threat when vicious, aggressive regimes acquire weapons of mass destruction—weapons that we must assume, on the basis of their treatment of their own citizens, these regimes will not hesitate to use against others. That is why there is a moral *obligation* to ensure that this lethal combination of irrational and aggressive regimes, weapons of mass destruction, and credible delivery systems does not go unchallenged. That is why there is a moral *obligation* to rid the world of this threat to the peace and security of all. Peace, rightly understood, demands it.

This concept of peace-as-order can also enrich our understanding of that much-bruited term, the "national interest." The irreducible core of the "national interest" is composed of those basic security concerns to which any responsible democratic statesman must attend. But those security concerns are related to a larger sense of national purpose and international responsibility: we defend America because America is worth defending, on its own terms and because of what it means for the world. Thus the security concerns that make up the core of the "national interest" should be understood as the necessary inner dynamic of the exercise of America's international responsibilities. And those responsibilities include the obligation to contribute, as best we can, to the long, hard, never-to-be-finally-accomplished "domestication" of international public life: to the quest for ordered liberty in an evolving structure of international public life capable of advancing the classic goals of politics—justice, freedom, order, the general welfare, and peace. Empirically and morally, the United States cannot adequately defend its "national interest" without concurrently seeking to advance those goals in the world. Empirically and morally, those goals will not be advanced if they are pursued in ways that gravely threaten the basic security of the United States.

In eradicating global terrorism and denying aggressive regimes weapons of mass destruction, the United States and those who walk this road with us are addressing the most threatening problems of global *dis*-order that must be resolved if the peace of order, the peace of *tranquillitas ordinis*, is to be secured in as wide a part of the world as possible in the twenty-first century. Here, national interest and international responsibility coincide.

Moral clarity in a time of war requires us to retrieve the idea of the just war tradition as a tradition of statecraft, the classic structure of just war analysis, and the concept of peace as *tranquillitas ordinis*. Moral clarity in *this* time of war also requires us to develop and extend the just war tradition to meet the political exigencies of a new century, and to address the international security issues posed by new weapons technologies. Permit me to sketch briefly three areas in which the *ad bellum* ("war-decision") criteria of the just war tradition require development, even as I suggest what the policy implications of these developments might be in today's circumstances.

Just Cause. In the classic just war tradition, "just cause" was understood as defense against aggression, the recovery of something wrongfully taken, or the punishment of evil. As the tradition has developed since World War II, the latter two notions have been largely displaced, and "defense against aggression" has become

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the primary, even sole, meaning of "just cause." This theological evolution has parallels in international law: the "defense against aggression" concept of just cause shapes Articles 2 and 51 of the Charter of the United Nations. In light of twenty-first-century international security realities, it is imperative to reopen this discussion and to develop the concept of just cause.

As recently as the Korean War (and, some would argue, the Vietnam War), "defense against aggression" could reasonably be taken to mean a defensive military response to a cross-border military aggression already underway. New weapons capabilities and outlaw or "rogue" states require a development of the concept of "defense against aggression." To take an obvious current example: it makes little moral sense to suggest that the United States must wait until a North Korea or Iraq or Iran actually launches a ballistic missile tipped with a nuclear, biological, or chemical weapon of mass destruction before we can legitimately do something about it. Can we not say that, in the hands of certain kinds of states, the mere possession of weapons of mass destruction constitutes an aggression—or, at the very least, an aggression waiting to happen?

This "regime factor" is crucial in the moral analysis, for weapons of mass destruction are clearly not aggressions waiting to happen when they are possessed by stable, law-abiding states. No Frenchman goes to bed nervous about Great Britain's nuclear weapons, and no sane Mexican or Canadian worries about a preemptive nuclear attack from the United States. Every sane Israeli, Turk, or Bahraini, on the other hand, is deeply concerned about the possibility of an Iraq or Iran with nuclear weapons and medium-range ballistic missiles. If the "regime factor" is crucial in the moral analysis, then preemptive military action to deny the rogue state that kind of destructive capacity would not, in my judgment, contravene the "defense against aggression" concept of just cause. Indeed, it would do precisely the opposite, by giving the concept of "defense against aggression" real traction in the world we must live in, and transform.

Some will argue that this violates the principle of sovereignty and risks a global descent into chaos. To that, I would reply that the post-Westphalian notions of state equality and sovereign immunity assume at least a minimum of acquiescence to minimal international norms of order. Today's rogue states cannot, on the basis of their behavior, be granted that assumption. Therefore, they have forfeited that immunity. The "regime factor" is determinative, in these extreme instances.

To deny rogue states the capacity to create lethal disorder, precisely because their possession of weapons of mass destruction threatens the minimum conditions of order in international public life, strengthens the cause of world order; it does not undermine it. Surely the lessons of the 1930s are pertinent here.

On the matter of just cause, the tradition also needs development in terms of its concept of the relevant actors in world politics. Since September 11, some analysts have objected to describing our response to the international terrorist networks as "war" because, they argue, al-Qaeda and similar networks are not states, and only states can, or should, wage "war," properly understood. There is an important point at stake here, but the critics misapply it.

Limiting the legitimate use of armed force to those international actors who are recognized in international law and custom as exercising "sovereignty" has been one of the principle accomplishments of just war thinking as it has shaped world political culture and law; over a period of centuries, the classic distinction between *bellum* and *duellum* has been established in international law. At the same time, however, it does not fudge or blur this crucial distinction to recognize that al-Qaeda and similar networks function like states, even if they lack certain of the attributes and trappings of sovereignty traditionally understood. Indeed, terrorist organizations provide a less ambiguous example of a legitimate military target, because, unlike conventional states (which are always admixtures of good and evil, against whom military action sometimes threatens the good as well as the evil), the "parasite states" that are international terrorist organizations are unmitigated evils whose only purpose is wickedness—the slaughter of innocents for ignoble political ends. Thus the exigencies of the current situation require us to think outside the Westphalian box, so to speak, but to do so in such a way as to avoid dismantling de facto the distinction between *bellum* and *duellum*.

Competent Authority. Two questions involving the *ad bellum* criterion of "competent authority" have been raised since September 11: the question of the relationship between a government's domestic and foreign policy and its legitimacy as a belligerent, and the question of whether "competent authority" now resides in the United Nations only.

One of the more distasteful forms of post-September 11 commentary can be found in suggestions that there were "root causes" to terrorism—root causes that not only explained the resort to mass violence against innocents, but made the use of such violence humanly plausible, if not morally justifiable. The corollary to this was the suggestion that the United States had somehow brought the attacks on itself, by reasons of its dominant economic and cultural position in the world, its Middle East policy, or some combination thereof. The moral-political implication was that such a misguided government lacked the moral authority to respond to terrorism through the use of armed force.

The root causes school blithely ignores the extant literature on the phenomenon of contemporary terror-

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ism, which is emphatically not a case of the wretched of the earth rising up to throw off their chains. But it is the moral-political implication the root causes school draws that I want to address. Here, Lutheran scholar David Yeago has been a wise guide. Writing in the ecumenical journal *Pro Ecclesia*, Yeago clarified an essential point:

> The authority of the government to protect the law-abiding and impose penalties on evildoers is not a reward for the government's virtue or good conduct. . . . The protection of citizens and the execution of penalty on peace-breakers is the commission which constitutes government, not a contingent right which it must somehow earn. In the mystery of God's providence, many or indeed most of the institutional bearers of governmental authority are unworthy of it, often flagrantly so, themselves stained with crime. But this does not make it any less the vocation of government to protect the innocent and punish evildoers. A government which refused to safeguard citizens and exercise judgment on wrong out of a sense of the guilt of past crime would only add the further crime of dereliction of duty to its catalog of offenses.

The question of alliances and international organizations must also be addressed in the development of just war thinking about competent authority. Must any legitimate military action be sanctioned by the UN Security Council? Or, if not that, then is the United States obliged, not simply as a matter of political prudence but as a matter of moral principle, to gain the agreement of allies (or, more broadly, "coalition partners") to any use of armed force in response to terrorism, or any military action against aggressive regimes with weapons of mass destruction?

That the UN Charter itself recognizes an inalienable national right to self-defense suggests that the Charter does not claim sole authority to legitimate the use of armed force for the Security Council; if you are under attack, according to the Charter, you don't have to wait for the permission of China, France, Russia, or others of the veto-wielding powers to defend yourself. Moreover, the manifest inability of the UN to handle large-scale international security questions suggests that assigning a moral veto over U.S. military action on these fronts to the Security Council would be a mistake. Then there is the question of what we might call "the neighborhood" on the Security Council: What kind of moral logic is it to claim that the U.S. government must assuage the interests of the French foreign ministry and the strategic aims of the repressive Chinese government—both of which are in full play in the Security Council—in order to gain international moral authority for the war against terrorism and the defense of world order against outlaw states with weapons of mass destruction? A very peculiar moral logic, indeed, I should think.

Building coalitions of support for dismantling the international terror networks and denying rogue states lethal weapons capacities is politically desirable (and in some instances militarily essential). But I very much doubt that it is morally imperative from a classic just war point of view. The United States has a unique responsibility for leadership in the war against terrorism and the struggle for world order; that is not a statement of hubris but of empirical fact. That responsibility may have to be exercised unilaterally on occasion. Defining the boundaries of unilateral action while defending its legitimacy under certain circumstances is one crucial task for a developing just war tradition.

Last Resort. Among those who have forgotten the just war tradition while retaining its language, the classic *ad bellum* criterion of last resort is usually understood in simplistically mathematical terms: the use of proportionate and discriminate armed force is the last point in a series of options, and prior, nonmilitary options (legal, diplomatic, economic, etc.) must be serially exhausted before the criterion of last resort is satisfied. This is both an excessively mechanistic understanding of last resort and a prescription for danger.

The case of international terrorism again compels a development of this *ad bellum* criterion. For what does it mean to say that all nonmilitary options have been tried and found wanting when we are confronted with a new and lethal type of international actor, one that recognizes no other form of power except the use of violence and that is largely immune (unlike a conventional state) to international legal, diplomatic, or economic pressures? The charge that U.S. military action after September 11 was morally dubious because all other possible means of redress had not been tried and found wanting misreads the nature of terrorist organizations and networks. The "last" in last resort can mean "only," in circumstances where there is plausible reason to believe that nonmilitary actions are unavailable or unavailing.

As for rogue states developing or deploying weapons of mass destruction, a developed just war tradition would recognize that here, too, last resort cannot be understood mathematically, as the terminal point of a lengthy series of nonmilitary alternatives. Can we not say that last resort has been satisfied in those cases when a rogue state has made plain, by its conduct, that it holds international law in contempt and that no diplomatic solution to the threat it poses is likely, and when it can be demonstrated that the threat the rogue state poses is intensifying? I think we can. Indeed, I think we must.

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Some states, because of the regime's aggressive intent and the lack of effective internal political controls on giving lethal effect to that intent, cannot be permitted to acquire weapons of mass destruction. Denying them those weapons through proportionate and discriminate armed force—even displacing those regimes—can be an exercise in the defense of the peace of order, within the boundaries of a developed just war tradition. Until such point as the international political community has evolved to the degree that international organizations can effectively disarm such regimes, the responsibility for the defense of order in these extreme circumstances will lie elsewhere.

Finally, moral clarity in this time of war requires a developed understanding of the "location" of the just war tradition in our public discourse and in responsible governance.

If the just war tradition is indeed a tradition of statecraft, then the proper role of religious leaders and public intellectuals is to do everything possible to clarify the moral issues at stake in a time of war, while recognizing that what we might call the "charism of responsibility" lies elsewhere—with duly constituted public authorities, who are more fully informed about the relevant facts and who must bear the weight of responsible decision-making and governance. It is simply clericalism to suggest that religious leaders and public intellectuals "own" the just war tradition in a singular way.

As I have argued above, many of today's religious leaders and public intellectuals have suffered severe amnesia about core components of the tradition, and can hardly be said to own it in any serious intellectual sense of ownership. But even if today's religious leaders and public intellectuals were fully in possession of the tradition, the burden of decision-making would still lie elsewhere. Religious leaders and public intellectuals are called to nurture and develop the moral-philosophical riches of the just war tradition. The tradition itself, however, exists to serve statesmen.

There is a charism of political discernment that is unique to the vocation of public service. That charism is not shared by bishops, stated clerks, rabbis, imams, or ecumenical and interreligious agencies. Moral clarity in a time of war demands moral seriousness from public officials. It also demands a measure of political modesty from religious leaders and public intellectuals, in the give-and-take of democratic deliberation.

Some have suggested, in recent months, that the just war tradition is obsolete. To which I would reply: to suggest that the just war tradition is obsolete is to suggest that politics—the organization of human life into purposeful political communities—is obsolete. To reduce the just war tradition to an algebraic casuistry is to deny the tradition its capacity to shed light on the irreducible moral component of all political action. What we must do, in this generation, is to retrieve and develop the just war tradition to take account of the new political and technological realities of the twenty-first century. September 11, what has followed, and what lies ahead, have demonstrated just how urgent that task is. FT

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Constitutional Persons: An Exchange on Abortion

Nathan Schlueter

Readers of First Things should by now be well-acquainted with the heated national debate—in part inspired by these very pages—over the role and legitimacy of the modern Supreme Court, armed with the power of judicial review, in a country that proclaims itself to be self-governing. Under the influence of a progressive jurisprudence the modern Court has issued controversial and innovative rulings on topics ranging from criminal due process to school prayer, rulings that often conflict with both the text and context of the Constitution, and with the history and traditional practices of our nation. But perhaps no issue better illustrates—and indeed magnifies—this conflict than abortion. *Roe v. Wade* and its progeny not only challenge the legitimacy of the Court, with their highly partisan and tendentious reading of the Constitution, they challenge the legitimacy of the entire government, a government that tolerates, and often even encourages, the mass destruction of those human beings who are most innocent and defenseless.

It is surprising, therefore, that on this most central constitutional and moral issue a preponderance of pro-life advocates and legal scholars continually misinterpret the Constitution. According to them, a proper reading of the Constitution would reject the concept of a privacy right to abortion, and thus return the nation to the pre-*Roe* status quo in which the decision of when, whether, and how to regulate abortion was left to the states. In offering this "restoration interpretation," they ignore or reject the proper interpretation, which would extend the protections of the Fourteenth Amendment to unborn persons. This is what I will call in this essay the "unborn person interpretation." They continue to do this despite the fact that both the majority in *Roe* and the appellants to the case conceded that if the personhood of the unborn could be established, "the appellant's case, of course, collapses, for the fetus' right to life would then be guaranteed specifically by the Amendment."

To gauge the pervasiveness of the restoration interpretation among life advocates, one need only consult these pages. Forty-five leading pro-life advocates, including Gary Bauer of the Family Research Council, James Dobson of Focus on the Family, Clarke Forsythe of Americans United for Life, Wanda Franz of the National Right to Life Committee, and Ralph Reed of the Christian Coalition, signed a much heralded joint "Statement of Pro-Life Principle and Concern" published in First Things in 1996 in which the primary legal complaint was made that *Roe* "wounded American democracy" by removing the issue of abortion from "democratic concern." The statement suggested two legal remedies: first, the Supreme Court could reverse *Roe*, returning the issue to the states; second, the nation could pass a constitutional amendment that would extend Fifth and Fourteenth Amendment due process protection to unborn persons. The statement does not even hint at the possibility of a Supreme Court ruling that would extend due process and equal protection to unborn persons. The First Things statement seems to reflect the unanimous opinion of those Justices on the Supreme Court who have urged reversing *Roe*, not one of whom has attempted to make or even respond in their opinions to the unborn person interpretation.

However well-intentioned, the arguments of the restoration advocates are usually grounded in an epistemological skepticism that is alien to normal constitutional interpretation and harmful to the political morality on which free government is based. While I don't object to a constitutional amendment that would extend special protection to unborn persons—especially since such an amendment would presumably lodge

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protection for the unborn beyond the discretion of partisan courts, and also dispose of any potential problems with respect to state action—such an amendment is constitutionally superfluous. The issue of protecting the basic rights of persons from hostile or indifferent state governments was constitutionally resolved almost one hundred and fifty years ago in the Fourteenth Amendment, purchased with the blood of hundreds of thousands of American lives in the awful crucible of the Civil War. The constitutional debate over abortion, then, is ultimately a rehearsal of the very same questions that shook the nation during the Civil War.

To see why the restoration argument, while certainly more honest and legally plausible than the opinion in *Roe v. Wade*, is both constitutionally flawed and politically problematic, we must first consider the arguments that have been made on its behalf. The core of the restoration argument consists of an attack on the contention that the right of a woman to terminate her pregnancy is a personal privacy right protected by the Constitution. Such a right is—to use the words of the Court—neither "implicit in the concept of ordered liberty," nor is it "a principle of justice so rooted in the traditions and conscience of our people as to be ranked fundamental." To the contrary, there is a strong historical and legal tradition in America condemning and prohibiting abortion as a violation of the rights of the unborn. Moreover, the alleged privacy protected in *Roe* differs in kind from the other privacy precedents insofar as the right necessarily affects the interests of another human life, the fetus, and insofar as the abortion procedure has a decidedly public expression.

So far as it goes, this is an acceptable argument. But it leaves out of the equation the paramount question of the status of the unborn child. The Justices write as if this question can be ignored or constitutes merely a "value judgment" about which reasonable people can disagree. Justice Antonin Scalia himself explicitly asserts this latter position in his dissenting opinion to the *Casey* decision: "There is of course no way to determine that [i.e., whether the human fetus is a human life] as a legal matter; it is in fact a value judgment. Some societies have considered newborn children not yet human, or the incompetent elderly no longer so." But if the status of the unborn child is merely a value judgment, then there is at least a plausible argument that the states have no right prohibiting abortion, especially when one considers the considerable burden an unexpected, unwanted, or dangerous pregnancy can place on a woman. Indeed, Justice Scalia's arguments have a frightening moral and epistemological agnosticism at their center.

> The states may, if they wish, permit abortion on demand, but the Constitution does not *require* them to do so. The permissibility of abortion, and the limitations upon it, are to be resolved like most important questions in our democracy: by citizens trying to persuade one another and then voting. As the Court acknowledges, "Where reasonable people can disagree the government can adopt one position or the other."

By making the determination of human life a value judgment, Justice Scalia forecloses the possibility that any scientific proof or rational demonstration can establish that an unborn child is a human being. Indeed, he ultimately forecloses the possibility that there can be any rational discussion of the matter at all, insofar as values by their very nature are subjectively determined. Taken to an extreme, as Justice Scalia's legal positivism in this matter seems to do, democracy becomes the simple exercise whereby the powerful define for themselves their "own concept of existence, of meaning, of the universe, and the mystery of life," to use the famous words of the majority opinion in the *Casey* decision. In such a universe, constitutional government is superfluous. One is strongly reminded of Lincoln's arguments with respect to slavery: "If [the Negro] is *not* a man, why in that case, he who *is* a man may, as a matter of self-government, do just as he pleases with him. But if the Negro *is* a man, is it not to that extent a total destruction of self-government to say that he too shall not govern *himself*?"

It cannot be too strongly emphasized that whether or not an unborn child is a human being is *the* critical question in this debate, and the question was definitively answered decades ago. Whatever might be said for an earlier time, today there can be no scientific disagreement as to the biological beginning of human life. Embryology, fetology, and medical science all attest to the basic facts of human growth and development, and medical textbooks for decades have declared that distinct and individual human life begins at conception. Contrary to Justice Scalia's assertion, this is not a value question any more than that of whether an acorn is an oak tree. It is indeed both telling and disturbing that while self-proclaimed postmodernist Stanley Fish can concede that the scientific evidence is clearly on the side of the pro-life movement, Justice Scalia continues to insist that this is a value judgment. The value decision only concerns whether we will protect all persons, or only those we have judged worthy of protection through the democratic process.

Perhaps even more disturbing is Justice Scalia's moral agnosticism, revealed in his pragmatic arguments against *Roe*. He rightly objects with scorn to the plea by the majority in *Casey* to the "contending sides of a national controversy to end their national division by

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accepting a common mandate rooted in the Constitution," as if the Court did not create the national controversy in the first place with its controversial ruling. And he quotes Lincoln's warning in his First Inaugural Address against deferring decisions of policy "upon vital questions affecting the whole people" to the Supreme Court, and thus resigning the power of self-government. Of course, Lincoln was referring to the ignominious *Dred Scott* decision in which the Court ruled not only that blacks were ineligible for national citizenship and thus had no legal access to federal courts, but also that slaves constituted property protected by the Fifth Amendment due process clause against congressional prohibition of slavery in the territories. It was in part in order to overturn this ruling that Lincoln pressed for, Congress passed, and the nation ratified the Thirteenth and Fourteenth Amendments to the Constitution extending due process and equal protection rights to all persons under United States jurisdiction.

According to Justice Scalia, the restoration argument would return the issue of abortion to the states, and thus remove it as a national issue. "As with many other issues, the division of sentiment within each state was not as closely balanced as it was among the population of the nation as a whole, meaning not only that more people would be satisfied with the results of state by state resolution, but also that those results would be more stable."

Stable for whom? Certainly not unborn children in states with permissive abortion laws. Couldn't Justice Scalia have added to these dicta some condemnation of the practice of abortion, despite his perceived constitutional obligations? One wonders whether restoration is Scalia's preference, and not merely his constitutional interpretation. In any case, the irony of Justice Scalia's position should not be lost: his argument sounds disturbingly similar to the "popular sovereignty" position of Stephen Douglas, Abraham Lincoln's bitter adversary, in both its professed agnosticism about the moral issue of abortion, as well as its proposed solution to the conflict. With Lincoln, we must see this argument for what it is: a dangerous threat to self-government insofar as it undermines the very public opinion that makes self-government possible, the belief in the transcendent dignity of all human beings from the moment of conception to natural death. Any attempt to define human worth or value with a smaller category than the general field of human beings, as Lincoln rightly saw, is necessarily arbitrary and sets forth a principle that itself undermines the principle foundation for self-government.

Not all advocates of the restoration argument, however, express Scalia's epistemological and moral skepticism so boldly. Christopher Wolfe, for example, attempts to make a similar argument while at the same time affirming the moral evil of abortion. His argument runs some of the same dangers as that of Scalia however, in that while recognizing the strength of many of the arguments for absolute prohibition of abortion, Wolfe concedes that, "given the fact that many people did and do in fact doubt (however wrongly, in fact) whether a human person exists from the time of human conception . . . the Constitution lacks the kind of clarity that would be necessary for a judge to strike down a law permitting abortion." So Wolfe's position, like Scalia's, is based ultimately upon conceding that the status of unborn children is open to doubt.

But we must ask: Why allow anti-life advocates to continue this deceptive argument that the ontological status of an unborn child is open to doubt, that it is based upon religion, or values, or some other subjective standard, and that it is a point over which reasonable people can disagree? Why does Professor Wolfe leave open to doubt what is obvious to so skeptical a man as Stanley Fish? We must be clear: if the ontological status of the unborn child is open to question, then objective knowledge itself is open to question. So long as life advocates concede that this is an open question the battle over abortion, and perhaps democracy itself, is lost.

To be sure, as the *End of Democracy?* symposium in First Things (November 1996) revealed, there is ample reason for reticence about the unborn person interpretation. The last half-century of "living constitutionalism" and its subsequent judicial license has left a badly scarred Constitution in its wake, severely undermining the delicate balance of powers that was part of the Founders' original design. The "least dangerous branch" of Federalist 78 has arguably become the "most dangerous branch" of Brutus 15. As many liberals are beginning to discover, the surrender of self-government to the Supreme Court is a double-edged sword that can cut both ways. We must be cautious, therefore, about seeking unwarranted readings of our privileged moral principles into the Constitution. For the purposes of this essay I will assume without argument that the proper reading of the Constitution is a *textualist* reading as that term is used by Justice Scalia in his book *A Matter of Interpretation.* A textualist reading assumes that the primary guidance for interpreting the Constitution comes from text and context. As Justice Scalia describes it, "A text should not be construed strictly, and it should not be construed leniently; it should be construed reasonably, to contain all that it fairly means." This principle excludes both "living Constitution" jurisprudence as well as "natural law" jurisprudence. According to this textualist jurisprudence, it seems to me, the unborn person reading is the most honest and legitimate, despite Justice Scalia's claims to the contrary.

The simple syllogism for my argument can be stated as follows. The word "person" in the due process and

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equal protection clauses of the Fourteenth Amendment includes all human beings. Unborn children are human beings. Therefore, the due process and equal protection clauses of the Fourteenth Amendment protect unborn children. To refute this syllogism, advocates of the restoration interpretation must either deny the major premise, that the legal person of the Fourteenth Amendment includes all human beings, or deny the minor premise, that an unborn child is a human being. Because virtually none of the life advocates are willing to deny the minor premise, the main point of contention must be the major premise.

So, do the due process and equal protection clauses of the Fourteenth Amendment include all human beings? Based on the text of the Constitution, its repeated construction prior to *Roe*, explicit statements of the framers of the Fourteenth Amendment, and valid inferences from state practices toward abortion, we can answer this question in the affirmative.

The first section of the Fourteenth Amendment states: "Nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." The problem is that the Constitution never defines the word "person." Justice Scalia, among others, rightly looks to context for guidance on the meaning of this term, and he finds no evidence that the word was intended to include unborn persons. In a speech delivered at Notre Dame in 1997 he pointed out that none of the references to "person" in the Constitution have prenatal application. For example, the second section of the Fourteenth Amendment states that "representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed." Because there is no evidence that the framers contemplated counting unborn persons for purposes of apportioning representatives, Scalia argues, they must not have understood "person" to include "unborn person."

There are serious flaws in this argument, flaws that are attached to any contextual attempt to understand the meaning of the word "person" in the Constitution for due process purposes. The reason for this is that apart from the Fifth and Fourteenth Amendments every reference to person is context dependent—that is, each reference is intended to accomplish a particular limited purpose. Take Justice Scalia's example. The means for determining numbers of persons in each state is regulated by the second section of the first Article of the Constitution. According to this passage, "actual enumeration" shall be made by Congress every ten years "in such manner as they shall by law direct." In other words, Congress can determine by statute those who should be counted in the census for purposes of allocating representatives. Surely Congress could constitutionally include unborn persons in the census count, and with good reason, as the count might be more accurate. On the other hand, this might be an impractical enterprise. A clearer example illustrating this contextual problem is the eligibility requirement for holding office in the House of Representatives. The Constitution states, "No person shall be a representative who shall not have attained to the age of twenty-five years." Does this mean that no persons under the age of twenty-five are protected by the due process clause? Of course not.

It is quite clear from the history of the Amendment that its framers did *not* intend to give Congress the power to determine personhood for due process and equal protection purposes. An early draft of the Amendment stated: "Congress shall have the power to make all laws which shall be necessary and proper to secure the citizens of each state all privileges and immunities of citizens in the several states, and to all persons in the several states equal protection in the rights of life, liberty, and property." Several Republicans objected to this language because it would merely "effect a general transfer of sovereignty over civil rights from the states to the federal government, while effectively failing to limit the exercise of state power that had produced the black codes." Instead, the framers of the Amendment chose to lodge the prohibition in the Amendment itself, while leaving Congress *corrective* power. The Amendment clearly does not give Congress plenary power over the meaning of the first section of the Fourteenth Amendment. The strong implication of the text and history is that the courts would have a strong hand in enforcing its provisions. Scalia's interpretation is implausible and would effectively emasculate the Amendment.

Another prevalent and yet erroneous interpretation of the Fourteenth Amendment holds that its provisions are limited exclusively to blacks. This reading is supported by neither the text of the Amendment, the history of its framing, nor its subsequent application. The Amendment was aimed not only at the "black codes" of various states, which sought to effectively reduce freedmen to slavery while technically obeying the provisions of the Thirteenth Amendment, but also at the entire constitutional apparatus that placed the rights of persons at the mercy of oppressive state governments. (Remember, whites that supported blacks in their quest for freedom were also in danger of retaliation.) In other words, the framers were seeking a constitutional remedy for protecting the rights of persons when the states failed to do so.

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For this reason, they chose to use the term "person" rather than "blacks" as the object of protection in the text of the Constitution.

Abundant evidence from the congressional debates over the Fourteenth Amendment indicates that the framers intended the word "person" to include all human beings. For example, the author of section one of the Fourteenth Amendment, John Bingham, stated that "before that great law the only question to be asked of a creature claiming its protection is this: Is he a man? Every man is entitled to the protection of American law, because its divine spirit of equality declares that all men are created equal." And Senator Lyman Trumball declared that the Amendment would have the "great object of securing to every human being within the jurisdiction of the Republic equal rights before the law."

The history of enforcement of the provisions of due process and equal protection clauses supports the argument that the provisions were not intended exclusively for freedmen. Indeed, the vast majority of Fourteenth Amendment due process cases that later came before the Court, even in the late nineteenth century, involved economic issues. The word "person" accordingly has been given a very liberal construction by the Supreme Court to include all human beings, be they minors, prisoners, aliens, enemies of the state, and even corporations. Indeed, apart from *Roe*, the Court has *never once* differentiated between "person" and "human being," nor has it ever excluded a human being from the due process protections of the Fourteenth Amendment. So it is a fair legal inference to say that if it can be demonstrated that an unborn child is a human being, then that child will constitute a "person" for Fourteenth Amendment purposes.

Notice that the minor premise of the syllogism above is only marginally contingent upon historical analysis. The primary issue is ontological, not historical. Just as "the freedom of speech"—to use Justice Scalia's example in *A Matter of Interpretation*—includes movies, radio, television, and computers, so the Fourteenth Amendment includes human persons whose personhood was not fully "discovered" when the due process and equal protection clauses of the Amendment were written. In other words, it doesn't ultimately matter what past people thought about *when* human life begins, so long as they agreed—as they did—that at whatever point it begins, this is the point at which the protective powers of the state must be introduced. They did not have enough access to the scientific and biological facts of human reproduction and embryology to know for certain when life begins. But in a time of 4D ultrasound technology, when infants can be operated on while still in the womb, there is no room for dispute about the status of the fetus.

One objection to the unborn person interpretation is the lack of precedent to support it. The common law basis of our system embodied in the principle of *stare decisis* and the just requirements of consistency in applying the law demand a respect for precedent. To this objection I offer two replies. First, there *was* a federal court precedent for the unborn person reading of Fourteenth Amendment before *Roe v. Wade*, though this fact was virtually ignored by Justice Harry Blackmun and the *Roe* Court. In *Stenberg v. Brown* (1970) a three-judge federal district court upheld an anti-abortion statute, stating that privacy rights "must inevitably fall in conflict with express provisions of the Fifth and Fourteenth Amendments that no person shall be deprived of life without due process of law." After relating the biological facts of fetal development, the court stated that "those decisions which strike down state abortion statutes by equating contraception and abortion pay no attention to the facts of biology." "Once new life has commenced," the court wrote, "the constitutional protections found in the Fifth and Fourteenth Amendments impose upon the state the duty of safeguarding it." Yet in commenting on the unborn person argument in *Roe*, Justice Blackmun wrote that "the appellee conceded on reargument that no case could be cited that holds that a fetus is a person within the meaning of the Fourteenth Amendment." He did so despite the fact that he had cited the case just five paragraphs earlier! The failure of both appellees and the Court to treat this case is both unfortunate and inexplicable. Second, while our system is based upon a reasonable and healthy respect for precedent, this has never prevented the Court from revisiting and modifying precedent when the erroneous foundation and unjust results of that precedent become manifest. Such is the case with respect to abortion and the Fourteenth Amendment.

The historical practices of the states both before and during the time the Fourteenth Amendment was ratified can serve as evidence of what the framers of that Amendment thought about its meaning. Clarification of this matter will also help clarify why the unborn person interpretation is different in kind from a "living Constitution" or "natural law" jurisprudence. The principle can be stated simply: the killing of an unborn human being has been universally condemned by Christendom, was a crime at common law, and was made a felony through all stages of pregnancy by the vast majority of the states in the latter half of the nineteenth century. There was virtually no debate about the principle; the only question concerned the facts: When does human life begin? What began as a standard of "quickening," or the first perception of fetal movement (which, by the way, had nothing to do with "viability"—a term which is ultimately grounded in utilitarian

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notions of "meaningful life") eventually became "conception," as medical science revealed the nature of human reproduction, growth, and development.

Thus, at the urging of the American Medical Association, among others, states began to revise their statutes to accommodate the new scientific knowledge. As Justice William Rehnquist pointed out in his dissent in *Roe*, "By the time of the adoption of the Fourteenth Amendment in 1868, there were at least thirty-six laws enacted by state or territorial legislatures limiting abortion." From this he concluded that "there apparently was no question concerning the validity of this provision or of any other state statutes when the Fourteenth Amendment was adopted." As Justice Scalia himself points out, "By the turn of the nineteenth century virtually every state had a law prohibiting or restricting abortion on its books." Significantly—and contrary to the assertions of several historians and legal scholars who were relied upon in *Roe*—abundant evidence indicates that these restrictions on abortion were passed with the primary purpose of protecting unborn children, and not merely to protect the health of the mother.

While this argument appears to provide stronger support to the "restoration argument" than to the "unborn person" argument, the appearance is only superficial. The framers of the Fourteenth Amendment did not intend to supplant the criminal codes of the various states. They merely intended to set conditions to those codes, the enforcement of which would be worked out primarily in litigation and secondarily in congressional enforcement. By the time the Fourteenth Amendment was ratified the states were well on their way toward enforcing its provisions with respect to unborn children. Moreover, other pressing concerns dominated the attention of the time period. *Roe* was the first case in which the issue of abortion had come directly before the Supreme Court, and it would have been a perfectly appropriate time for the Court to affirm the proper extension of the protections of the Fourteenth Amendment to unborn persons.

Thus, the unborn person interpretation has nothing to do with broadening or narrowing legal concepts to meet ever-evolving standards of morality accessible only to privileged elites. In such cases judges usually broaden or contract the meaning of the legal concept itself, as when they argue, for example, that the right to "liberty" includes an absolute right to engage in behavior once regarded as legitimately subject to state "police power" regulations covering the right to contract, to view obscene materials, or to use contraception. In the argument above, the legal concept—the protection of all human beings—remains unchanged. The only change comes from the clear development in scientific knowledge about when human beings come into existence.

A final consideration goes beyond the scope of this paper, but deserves mention. One could concede the entire argument above and still object that the practical effect of the unborn person interpretation on the protection of unborn children would be minimal due to the "state action" doctrine. According to the extreme formulation of this doctrine, the Fourteenth Amendment only places limits upon state action, and does not reach private action. I will only state here that the narrow reading is not plausible, and is not supported by the continuous reading of that Amendment. Congress is clearly given the power in Section Five of the Fourteenth Amendment to remedy both hostile state action and state failure to secure the constitutionally protected rights of persons. The unborn person reading would make it constitutionally incumbent upon states to secure the basic rights of all persons in their jurisdiction without discrimination, and would enable Congress to pass remedial legislation protecting those same rights in states that fail to do so.

This would be a bold affirmation of the democracy our nation suffered through the agony of the Civil War to achieve, and whose principle is enshrined in the Fourteenth Amendment. If, then, as seems likely to happen in the near future, Congress passes and the President signs a ban on partial-birth abortion, the issue of abortion and the Constitution will again come to the forefront of national attention. We must not let this opportunity pass to boldly challenge the prevailing jurisprudence and its attendant epistemological and moral skepticism with respect to abortion.

In sum, we must be cautious that our legitimate fears of an overweening Court and "living constitutionalism" do not blind us to the proper constitutional and political response to the problem of abortion. Metaphysical realism regarding both the identity and the dignity of the human person is the fixed point around which our political order revolves. Without it, there can be no resistance to the ever-encroaching influence of pragmatic and utilitarian conceptions of human dignity. This principle was given strong affirmation in the Fourteenth Amendment. While this Amendment was not intended to redress every social ill, its legitimate purposes certainly extend to the protection of unborn persons. We cannot afford to feign skepticism about the personhood of unborn children any more than an earlier age could afford to feign skepticism about the personhood of African-Americans.

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Robert H. Bork

Professor Nathan Schlueter belongs to the "heart's desire" school of constitutional jurisprudence: if you want something passionately enough, it is guaranteed by the Constitution. No need to fiddle around gathering votes from recalcitrant citizens. He is by no means alone. His school counts among its members a majority of the Justices of the Supreme Court as well as professors of constitutional law, but Schlueter's closest counterpart is perhaps Justice Harry Blackmun of *Roe v. Wade* fame or ignominy, depending on your point of view. Blackmun and Schlueter have announced diametrically opposed constitutional rights, but both are made out of whole cloth. Blackmun invented a right to abortion, just as Schlueter has invented a complete prohibition of abortion. Though neither would care to admit the relationship, they are brothers under the parchment.

A dash of reality may be in order at the outset. The exercise in which Schlueter engages, while interesting and nobly inspired, is entirely irrelevant to the future course of the law. *Roe* had nothing whatever to do with constitutional interpretation. The utter emptiness of the opinion has been demonstrated time and again, but that, too, is irrelevant. The decision and its later reaffirmations simply enforce the cultural prejudices of a particular class in American society, nothing more and nothing less. For that reason, *Roe* is impervious to logical or historical argument; it is what some people, including a majority of the Justices, want, and that is that. If Mr. Schlueter were entirely correct in his constitutional argument, nothing would change. Only a shift in the culture, reflected in our politics, can make a change. Perhaps *Roe* may one day be whittled away by new appointees to the Court, though unless an unforeseeable cultural-political shift occurs, such candidates will have great difficulty in winning Senate approval. Dim as are the prospects for the demise of *Roe*, it is not imaginable that any Justice, let alone five of them, would rule that the Constitution prohibits all abortion, no exceptions. Schlueter's argument will never be more than a curiosity.

The main outline of Schlueter's position is familiar. Again and again, pro-life advocates have said that the constitutional guarantee that life not be taken without due process of law, found in both the Fifth Amendment, ratified in 1791, and the Fourteenth Amendment, ratified in 1868, means, properly interpreted, that unborn children may not be deprived of life by abortion. That reading seems to me absurd. I think it clear that the Constitution has nothing to say about abortion, one way or the other, leaving the issue, as the Constitution leaves most moral questions, to democratic determination. I am, therefore, one of those whom Mr. Schlueter criticizes as restorationists: *Roe* should be overruled and the issue of abortion returned to the moral sense and the democratic choice of the American people.

The constitutional question is not what biological science tells us today about when human life begins. No doubt conception is the moment. The issue, instead, is what the proponents and ratifiers of the Fifth and Fourteenth Amendments understood themselves to be doing. It is clear that the Fifth Amendment's due process clause was intended to guarantee that no one be deprived by the federal government of life, liberty, or property without regular procedures. The Fourteenth Amendment made that guarantee applicable against the states.

Can those guarantees of fair and regular procedures be read as applying to unborn children who are deprived of life? Certainly not. When the two Amendments were proposed and ratified, abortion was known, had been known for millennia, and there had been arguments about whether life began at quickening or some other stage prior to birth. No one concerned in the adoption of these Amendments could have been ignorant of the fact that life did or could exist at some time prior to birth. Thus, if they intended to protect all human life, they would have known that the Amendments did, or very probably would, prohibit some category of abortions. It passes belief that nobody would have said so or raised the question for discussion, but the records are bare of any such question or discussion. The conclusion can only be that those who adopted these Amendments addressed only the rights of persons who had been born.

Indeed, the language of the Amendments strongly supports that understanding. The Fifth Amendment states that no "person" shall be held to answer for a capital or otherwise infamous crime except on presentment or indictment of a grand jury. Moreover, no "person" shall suffer double jeopardy for the same crime or be compelled to be a witness against himself. These all quite clearly apply only to persons who have been born since it is difficult to imagine an unborn child being charged with an infamous crime, or being tried twice for the same crime, or being required to be a witness against himself. The due process clause follows immediately after those guarantees and refers to the same persons mentioned in the preceding clauses. Not even the most tortured interpretation of the due process clause in the Fifth Amendment can make it apply to the unborn.

The Fourteenth Amendment starts by referring to "all persons born or naturalized in the United States" and provides that they are citizens of the United States and of the state in which they reside. In the same section, it is provided that no state shall "deprive any person of life . . . without due process of law." Since this due

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process clause was carried forward from that of the Fifth Amendment, one would think it referred to the same persons. That inference is supported by the Amendment's speaking of persons born or naturalized. None of these categories include unborn children. Thus, both the history and the texts of the two due process clauses demonstrate that they have nothing to do with the issue of abortion.

Schlueter's claim of historical support for his position fails; in fact, the material he cites cuts against that claim. He asserts that abortion was universally condemned by Christendom, a crime at common law, and a felony in the vast majority of states in the latter half of the nineteenth century. This is a curious argument. If all those assertions were true, that would say nothing about what the ratifiers of the Fifth and Fourteenth Amendments meant. Armed robbery was even more universally condemned, certainly condemned by Christendom, a crime at common law, and a felony in every state. That does not mean that the Amendments in question outlawed armed robbery.

Worse, Schlueter quotes then-Justice William Rehnquist's dissent in *Roe*, apparently not noticing that the words undermine his argument. Rehnquist said: "By the time of the adoption of the Fourteenth Amendment in 1868, there were at least thirty-six laws enacted by state or territorial legislatures limiting abortion." The crucial word is *limiting*. To limit conduct is to prohibit only some aspects of it while allowing the rest. It is impossible to suppose that the states ratified an Amendment they understood to outlaw all abortions but simultaneously left in place their laws permitting some abortions. If it is answered that people of the time thought that life began at some specific point after conception but before birth, and that that understanding was written into the due process clause, then the laws they left on the books should uniformly reflect that understanding. Schlueter makes no claim that the laws displayed any such uniformity, nor, so far as I know, does anyone else.

No better is the argument that the ratifiers meant to protect anybody who should later be discovered to be a person just as the commerce clause was subsequently applied to trucks that the ratifiers knew nothing of. There is no equivalence. We have already seen that there is not the slightest scintilla of evidence for the proposition that the Amendments were designed to protect all human life, including the unborn. The commerce clause was designed to keep open trade between the states, and naturally it did not matter what instruments were used to conduct that trade. Interstate movements of trucks clearly fall within the principle the commerce clause was designed to vindicate. It is abundantly clear from text and history that abortion had nothing to do with the principle the due process clause was intended to establish.

When all else fails, it is always good to quote Lincoln. In this case, Schlueter quotes Lincoln about the evils of slavery and the rights of all men to self-government. The example is ill-chosen. Lincoln was not addressing a court or expounding the meaning of the due process clause. He was addressing the moral sentiments of the nation. Though it would have been highly useful to him, he never suggested that the Supreme Court could abolish slavery by a proper interpretation of the Fifth Amendment. At the time he spoke, the District of Columbia and some territories, all governed by Congress and so subject to the due process clause, had laws permitting and protecting slavery. Apparently no one, including Lincoln, imagined that that clause gave the federal courts the power to prohibit slavery. Yet a slave was surely as much a person as an unborn child.

If there were no other objections to Schlueter's reading of the due process clauses, it should be enough that for two hundred years, in one case, and almost a century and a half, in the other, nobody suspected that those clauses meant what Schlueter would have them mean, not the men who proposed them or those who ratified them. The presumption is overwhelmingly against any revolutionary interpretation of the Constitution that occurs this late in the day.

Schlueter correctly recognizes that he has a problem with the fact that the due process clause limits governmental action and not the actions of private individuals. Abortions are killings by private persons. Without some additional constitutional action, there is no way around this other than to say that what the state fails to forbid, the state affirmatively orders. That would make all private action state action. It would follow that no area of individual freedom is exempt from judicial control. Suppose you establish trusts for two of your three children, but, for reasons satisfactory to you, leave the third child out. He sues you for depriving him of property without due process of law and, because you favored the other children, of denying him the equal protection of the laws. If private action is state action, he has a colorable constitutional case, and the courts will decide whether your reasons for discriminating pass constitutional muster. The same thing would be true with respect to any other actions of yours that somebody happened not to like. There is no exercise of individual freedom that could not be challenged under such a regime. The courts would make the rules for private conduct and legislatures would become largely irrelevant. That would turn the constitutional allocation of powers on its head.

Schlueter's solution is to have the Supreme Court declare all abortions violations of the due process clauses, and then have Congress enforce the ruling by legislating under section five of the Fourteenth Amend-

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ment. Aside from misuse of the due process clause involved, that solution assumes a judicial and social consensus antagonistic to all abortions so broad and intense as hardly to require such drastic action by Congress and the courts. *Roe* would be jettisoned and state legislatures would outlaw abortions. But the notion that any such anti-abortion consensus lies in any foreseeable future is a fantasy.

It is wrong to play word games with the text of the Constitution. Reading the word "person" to encompass all human life and thus to make abortion illegal is exactly like arguing that the Thirteenth Amendment's prohibition of "involuntary servitude" makes the military draft unconstitutional. A person drafted into the army against his desires is placed in a condition that looks and feels very much like involuntary servitude. Every so often a beginning law student of libertarian bent discovers this argument but is defeated by the fact that Congress continued to vote for conscription with not the remotest notion that it had already made the draft unconstitutional. Context governs. The Thirteenth Amendment was adopted to prohibit slavery or its equivalent. Not every obligation placed upon the individual by government or by other individuals amounts to involuntary servitude.

Schlueter persistently confuses science with law. Science and rational demonstration prove that a human exists from the moment of conception. What they do not prove is that existing law, addressed to different problems, must change with every advance of science. Minimum wage laws have been demonstrated by economics and empirical proof to cause unemployment or to price certain classes of people out of certain occupations. Rent control diminishes the amount of housing available and skews the occupancy of existing housing. In both cases, people may be said to be deprived of liberty or property without due process of law. Nevertheless, for reasons that may be thought discreditable, legislatures keep enacting such laws and there is no constitutional reason to say they may not.

Schlueter tries, wholly without success, to distinguish his position from "living Constitution" or "natural law" jurisprudence. But he ignores the plain text of the Fifth and Fourteenth Amendments and offers a patently irrelevant version of history. Any judge who followed his prescription would be guilty of judicial activism at least equal to Roger Taney's in *Dred Scott* and Harry Blackmun's in *Roe*. Once we fall into the habit of sacrificing the integrity of law in the service of moral passions bad things are certain to follow, as our history abundantly demonstrates.

It will be best to notice only briefly Schlueter's remarks about Justice Antonin Scalia. As my argument to this point suggests, Scalia is quite right that the Constitution has nothing to say about abortion. He is also right that different persons and different societies make different value judgments about when life begins or when a fetus is entitled to moral respect. There is no point in ignoring that fact. Value judgments, contrary to Schlueter, are subject to rational discourse and people do change their minds as a result. I have changed my mind about abortion as a result of discussion. Though I am fairly sure that Scalia does not regard the beginning of life as an open question, a proper regard for the restraint proper to a judge prevents him from denouncing abortion in his opinions, as Schlueter thinks he should. Scalia needs no defense from me, but Schlueter should reflect that the proclivity to assault one's closest allies as insufficiently pure may be a symptom of the onset of fanaticism.

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A Grammar of the Self

John E. Coons

You cannot call up any wilder vision
than a city in which men ask themselves
whether they have any selves.

— G. K. Chesterton, *Orthodoxy*

Chesterton was wrong, for that other vision stood in the wings. But, writing in 1908, how could he have predicted that parents would one day pay minds so modest as these for the opportunity to teach their children that they might not exist, that the answer to the question "Are we?" is not necessarily in the affirmative? This academic fashion of self-cancellation has been neglected by those print media that decode professional philosophy. The hesitation of their publishers is understandable; tales of the evaporating self can be tediously technical. Still, if it is prudent for the journals to ask "who cares?", the exclamatory answer must be that "*whos* care!"

Every idea of a real self entails authentic goods that humans do not invent but might achieve; thus, our capacity for such real goods must first be identified and assessed. There are, however, two distinct forms of good that could be our possible object. One is a moral or spiritual perfection to be realized, if at all, in the self. I call this the "First Good," or, ultimately, the goodness of the "person." The other (the "Second Good") consists in correct deeds and true beliefs plus their perceptible effects. This distinction between the two goods ignites a critical disagreement among those who believe in the real self. The question disputed is whether humans can achieve their own First Good simply by seeking the Second Good, or whether, to the contrary, one must actually succeed in that effort. Do honest mistakes about truth and correct conduct prevent this goodness that is peculiar to the self?

My own view is that the human self achieves his or her perfection by making the best of whatever intellectual and other resources one commands (and these I label the "persona"). Mistakes (of conduct or belief) by definition injure the Second Good, but, if truly unavoidable, they do not prejudice the First Good. The honest bungler becomes good though he mistakes the truth. Embracing this premise, I define the self as the capacity to achieve that state of goodness (or to reject it by refusing to seek the Second Good).

Conversations on this subject go nowhere without a set of common terms. I see no way to make the going easy. Language itself has contributed to the difficulty. The genius who invented personal pronouns assumed the real, distinct, and continuing identities both of himself and all those around him (or her, obviously). These intellectual commitments are frozen in our vocabularies to the special inconvenience of the modern philosopher who yearns to exterminate the self. If he could, he would avoid such words as *who, I,* and *we*—names for those stubbornly enduring agents whose existence he rejects. He would convince us that, when we speak of human identity, this must be understood metaphorically. But who, then, is the "we" that utters this distinctly nonmetaphorical claim? Language here is not up to the task, and in desperation the philosopher ascribes this insight of a self-less race to some "perspectiveless perspective" or "view from nowhere"—a view, we are to understand, of nobody at all.

I attempt no such subtleties; a primary justification for my effort here is the crying need for a simpler statement of the whole problem—echoing John Henry New-

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man, for an "essay in aid of the grammar of the self." Any hope of affirming (or even of denying) the reality of the "self" requires some shared conception that bears this name, some labeled idea of what the real thing would be (if, indeed, it did exist). This need for a common language is illustrated in William James, who contributed handsomely to the current babel. A substantial portion of *Principles of Psychology* was devoted to "The Consciousness of the Self"; but James attached this term "self" to diverse forms of consciousness, each resting upon some discrete source such as experience, sense, emotion, imagination, or belief. He specifically distinguished material, social, and spiritual selves plus the "pure ego" and "the Empirical Self or Me." Each was governed by distinctive premises and epistemology, rendering the whole a collection of incompatibles. Conceding the acuity of James' particular observations, he left "self" a term both parochial and ambiguous, hence almost useless.

This balkanization of meaning continues as a professional habit of philosophers, and not only among those who dismiss the self. Even such elevating—and affirmative—works as Charles Taylor's *Sources of the Self* and Paul Ricouer's *Oneself as Another* leave its definition unsettled. Though illuminating, they seem less histories of a stable and intelligible *idea* than etymologies of an inconstant but imperishable *word*—a verbal phoenix that re-arises only to migrate, becoming the label for yet another irreconcilable theory of human individuation.

But if it is so fickle a word, why should I continue to employ it? What makes it the ideal agent of clarity? The Christian might (with Maritain) prefer "person" or even "soul." The old Greeks might lobby for "form"; and at least some positivists will complain if we should de-emphasize "identity" and "individual." These criticisms are plausible and, in their way, reassuring. All confirm the need for some concept with an accepted common name, some notion whose reality can be debated, then affirmed or denied.

For two reasons, I favor the word "self" for this purpose. One is its prominence in contemporary accounts of the question; as I write, I confront the spines of a dozen recent books bearing "self" in their titles. The other is more nearly substantive, if thoroughly tendentious. In a comfortable way, "self" fits into my own version of human moral architecture without disqualifying all these other favorite terms. Understood specifically as what I shall call "the capacity for responsibility," the word "self" leaves distinctive and important uses for terms such as person, persona, soul, identity, and individual. My hope is that most of these can be reconciled in a rather surprising economy of language. Though parsimony does not guarantee truth, it serves coherence, providing a sort of Esperanto without resorting to neologisms.

Theories of the real self (or of its absence) can be usefully organized in three categories. Set #1 consists of positivist theories of the sort that I have already caricatured. All share the premise that I will now label "Radical Contingency" (or Rad-con); that is, they reduce the human reality to the ephemera of empirical data and "perceptions." Thus on occasion I will also refer to these collectively as the "nothing but" theories of the self. Those in Set #2 I will call "Traditional," dividing them further into two sub-schools that favor, respectively, the "Intellectual" and the "Responsible" self. What the schools of Tradition agree upon is that the self involves both reason and will; what divides them is the emphasis upon the one or the other. Bit by bit I shall try to justify a stress upon will as the better choice. Set #3, my third and final batch of theories, consists of the peculiar blend of reason and will that was confected by Immanuel Kant; I reject it but use it in what follows.

Rad-con philosophers typically claim to be "empirical," reducing the intelligible world to detectable phenomena and the subjective experience of the individual human specimen. Material reality is all we know, and it is universally unstable and contingent. This collection of minds is as antique as Heraclitus and as trendy as Peter Singer. Rad-con doctrine concedes the reality of a human species but only as it can be located in individuated clusters of genetic material—blobs of vulnerable stuff that is ever changing and passing away. Indeed, why the Rad-con prefers the idiom of "selves" to that of "blobs" is unclear. The arbitrariness of the choice is betrayed in the occasional observation that the self is "nothing but" this mutating mass of cells that sees and feels and is seen and felt. Perhaps "self" bears an historic halo of respectability, hence a certain marketing advantage wanting in the term "blob."

Rad-con theory does not altogether deny subjective phenomena, but it reduces them to messages from and to our own flesh. To a point, Traditional critics go along with this; they can concede that our sensations and images are no guarantee of a corresponding reality "out there." Nevertheless, many traditionalists insist that the phenomenon we call memory is a clear exception to this flux, being by its nature more than a neurological event. Memory, they say, is the independent signature of a real self—of "somebody home." To recall my own past is a reliable act of self-recognition. (Some, with Ricouer, call it the narrative self.) Crudely put, I remember, therefore I am. Rad-cons typically reject this exception; even a memory in fine working order is to be understood as an event like any other within the phenomenal individual. A blob may inform me that "I'm the guy who did . . . X"; and, like data from a computer, this report may or may not convey accurate historical information.

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What it can never display is a somebody in charge of the computer—either the blob's or my own.

Further, continues the Rad-con, even if one accepted memory as a reliable intimation of an enduring something discrete from the neuro-blob, the path to the self would not be easy. Among the "nothing buts" it is a parlor game to pose hypotheticals ranging from minds struck with amnesia to the science-fictional transfer of memory from one blob to another. Susie's body has surgically been given your brain with all its recollections; now tell me who you are—or whether you are at all. This is good fun, and—if I am right—it comes at no ultimate expense to the self, for, on the premises of the Rad-con, it is strictly overkill; if, by definition, our mental life consists exclusively of neurologically determined events, then those events called memory could not prove the presence of a distinctive self. On these terms, the self could conceivably remain "nothing but" an arbitrary label for those accretions of flesh that bear proper names or social security numbers. There is, in any case, no need for despair. Even were the narrative memory insufficient to establish the self, it could also be unnecessary.

The Traditional versions of the self constitute my second basket of theories. Some are as old as Socrates. All recognize in each human some element that is not subject to the otherwise universal flux; it is stable, enduring, and important, at least during the brief season of our rationality. But, as noted, this band of "realists" is itself divided into two distinctive schools or sub-traditions. Each defines this enduring element as a thing of reason and freedom, but the one stresses reason and the other free will. As we shall see, this difference in emphasis has consequences.

Socrates and Plato taught that in the architecture of mankind there is something that eludes the flux of the empirical. It is, indeed, this uniquely human element that has the most convincing claim to be real, the rest being appearance or "mere perception." This enduring human core consists essentially in our gift of rationality. Ideas are the only true reality, and reason empowers each of us to appropriate at least some of them. Aristotle dissented in part, restoring the dignity of the empirical; nevertheless, he agreed with Plato that it is ideas—as the form of all things—that address our reason. And the good life is one that emphasizes their contemplation and appropriation; together with a somewhat ambiguous freedom, it is reason that distinguishes the human core, making it real, stable, and potentially sovereign to our empirical aspects.

Seven centuries later such Greek ideas, especially those of Plato, came to inform the outlook of Augustine (though the word "self" was still far off). Invoking a scriptural image of man created as the image and likeness of God, he redeployed reason and will, securing—at least for believers—an enduring human nucleus. As Charles Taylor recounts, in the process Augustine had executed an intellectual U-turn. The Greeks (metaphorically) had directed the eye of reason outward to a universe of ideas. In his *Confessions* Augustine redirected reason inward in a fateful focus upon the content and structure of his own mind and soul, as he now experienced them—illumined by grace.

At least until his final years Augustine continued to give place to freedom in his understanding of what would one day be called the self. However, haunted not only by his Manichean past but, soon, by Pelagian boasts of human moral competence, Augustine was never able to shake his anxieties about freedom. The human agent became for him a one-sided coin; he could be allowed autonomy only in his capacity to choose evil. Any choice of the good must be credited exclusively to God. Moreover, knowledge of the true and the good was itself the work of grace—of grace eventually interpreted as invincible. God does it all. What is important in all this for our story of the self is Augustine's emphasis upon knowledge and reason. His own conversion, as with St. Paul's, had come as illumination. The saving knowledge of God was thrust upon him. It is our nature to be thinkers; and God had graced the fortunate Augustine with the right thoughts.

By the thirteenth century, Thomas Aquinas would give much greater weight to the senses and to the empirical; in effect he played Aristotle to Augustine's Plato. Nevertheless, his treatment of the self remained Augustinian in its emphasis upon reason. The human person is, first and foremost, rational in nature, and fulfillment lies in fuller knowledge (plus, of course, the love that is merited by every truth one appropriates). His psychology is so centered upon reason that, for many, Aquinas is the quintessential "intellectualist." In his view the will merely seeks, while the mind actually possesses, thereby achieving a higher state.

This sovereignty of reason resurfaces everywhere in Aquinas. In the realm of morals only the correct grasp of what is right conduct can avoid sin. Except for non-negligent errors of fact, even invincible ignorance will not serve; we must know the rules, and the best of intentions is not sufficient to goodness if I mistake the correct way. Knowledge is preeminent also in the final bliss of the elect; the essence of salvation is the beatific vision. Of course, there is love, and we may think of love as a voluntary act, leaving the saints theoretically free to defect; but they never do.

The devaluation of volition was to be accentuated by the Reformation and came to typify Western versions of the self until Schopenhauer and Nietzsche. To this day the subordination of will is discernible among many of the traditional philosophers who carry the torch for natural law. Nowhere in John Finnis, for example, can I

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find even a footnote on the fate of the moral bungler—the actor whose reason is misfiring on specific moral issues; he is doing all he can to get right answers, but his feeble gifts and fallible judgment lead him to mistakes of conduct. Aquinas had this hapless fellow "bound to know" the right answers (at the risk of his soul), and Finnis and company seem not to have rescued him even in the natural order. This abstention underscores the intellectualism of their human self; it is so constituted that its fulfillment must come by correct knowledge and appropriation of the several "basic human goods," all apprehended by reason. To be sure, one can refuse to maximize these goods; our constitution includes free will, and the proper intention is necessary to the happy ending. But, to the intellectualist, it is reason and knowledge that stand front and center in the active structure of the self. We might add that this same emphasis dominated the twentieth-century Thomism of Jacques Maritain and Étienne Gilson.

I turn now to that other school of Tradition which has stressed freedom as the flagship of the self. It shares crucial ground with the tenant of our third set, Immanuel Kant, and I consider them together.

The various schools of Tradition agree that natural reason relies upon experience for its initial signals of reality; hence, to start philosophy with sense and image is no crime, but it is a crime to end there. By contrast, our third exemplar, Kant, refused to credit such knowledge at all, concluding with Hume that, from the world of sense and experience reason could never proceed farther than mere "appearance." Kant then solved the start-up problem his own way; in a procedure that is roasted by diverse modern critics (including Traditional natural lawyers) he ascended to a "pure reason" that is detached from the data of sense. Precisely because it is liberated from the empirical, Kant's "noumenal" self is able to reason its way to the "categorical imperative," thence to the specific obligations of conduct that are disclosed by its correct application.

His desertion of experience in favor of "pure reason" thus sets Kant in opposition to both Tradition and Radical Contingency. He is of interest here, nonetheless, for the peculiar place he allows for will in its relation to reason. Though ostensibly reason becomes the supreme property of his intellectualist self, in an interesting way Kant actually undermines reason's moral sovereignty. For on the ultimate issue of the self's own potential perfection (what I have called the First Good or goodness of the person), he does not require *correct* reasoning but only honest effort. "The good will is not good because of its . . . adequacy to achieve some proposed end; it is good only because of its willing, i.e., it is good in itself."

There is nothing so holy as a good will, and it is available to every self—period. Granted, Kant is sometimes ambiguous about the possibility and consequences of honest error. In the end he plainly allows the interpretation that the free will is preeminent in the moral architecture of the self. This is a proposition that might be domesticated within Traditional theories. Its adoption could give them a stronger purchase on the contemporary mind and a more coherent understanding of the self.

To see this we may be aided by an imaginative reordering of the steps taken by Kant after his demotion of the empirical. Kant's fateful mistrust of sense and image (hence his unhappy resort to "pure" reason and noumena) had been encouraged by the skepticism of David Hume. Hume famously denied the truth value of "perceptions" even to the perceiving individual—ultimately to the point of denying his own existence. Looking inward "into what I call *myself*, I always stumble on some particular perception or other. . . . I never catch myself . . . and never observe anything but the perceptions." For Hume it followed that this self that he cannot "catch" is nonexistent, a heroic inference but one congenial to the "nothing buts" who still gather in his name.

Hume's insight had roots in the fourteenth-century revolt of nominalism against those Scholastics whose descendants inhabit my "Traditional" category. As revolutions tend to do, this one lost its bearings, becoming modernity's hyperbolic devaluing of all experience, mental and physical, as "perceptions." Hume himself might have drawn the line elsewhere; his own account discredited only the sorts of notions that the mind could "stumble on" or "observe" by the inward act that Hume inaccurately called "looking." But what the mind can imagine in this primitive and picture-like manner does not exhaust our subjective repertoire; a neglected form, prominent within private consciousness, is of primary importance to our question.

Distinct from the vulnerable images of Hume is the *experience of responsibility*, a thing that is more than perception—and stabler, even, than the provenance of reason. Its singularity and portent make it a plausible candidate for the ground of the self. And here comes the point about Kant. One wonders whether he might have been more convincing had he reversed the order of his propositions about reason and freedom. He could have begun with the undeniable experience of free moral responsibility, taking reason not as premise but as inference. The logical relation, after all, is reciprocal; responsibility cannot be conceived apart from knowledge.

By the experience of responsibility I mean the awareness (of every rational human) that one is called to seek what, in his or her circumstances, is the correct choice of conduct. This experience includes the conviction that there is such an order of possible right deeds and outcomes ("Second Good") and that one ought to

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direct whatever resources are at his or her disposal to their concrete realization. This experience is universally verified. Even Humeans inadvertently confirm it as privately they practice responsibility and complain when others fail to reciprocate.

In at least two basic respects our experience of responsibility differs profoundly from Hume's "perceptions." Given the modernists' assumptions, the latter can be accounted for as products of our senses and brain: the neural resources of the blob generate image, sensation, and emotion, and these are consistent with reason understood as pure mechanism. It "catches" the descriptive content of our consciousness. By contrast, human responsibility is experienced, not because we "catch" it, but—to the contrary—because it catches us. Responsibility is unique as the experience, not of perception, but of *being perceived*—of standing in relation to an authoritative moral perceptor. Imperative (or invitational) in content, the experience cannot be explained descriptively as the product of mindless matter and neural energy. Hume himself should have been the first to observe that the experience of "ought" cannot emerge from the experience of "is." If we find it part of us, we should look over our shoulder.

Second, unlike Hume's "perceptions," and unlike intellectual insight, responsibility is experienced not as transient and contingent but as a constant of human subjectivity. I do not mean that we cannot evade or suppress, but only that we can never eliminate, the free capacity to accept or reject responsibility. If the definition of self requires a stable element, here is a fresh candidate.

Note that in this view the self (itself) is a moral perceptor, but also that this is more than tautology. For as moral perceptor the self can be understood in either of two distinct ways. The first is Kant's way. He would have each self standing autonomous as a moral actor. One literally legislates his own responsibility to deploy reason to deal correctly with the worlds presented to each of us in our perceptions and empirical encounters. For Kant the self is (simultaneously) moral perceptor, lawmaker, and executor.

The obvious alternative view open to Kant might have raised the ante precisely in the way that he wanted to avoid, by introducing God as primary perceptor and lawmaker. In truth, however, like Aquinas, Kant could have had it both ways, postulating a divine perceptor who would not displace but rather sustain, enlarge, and explain the liberty of the human self. Granted, this concession would demote the Kantian self from the role of author and legislator to that of a created vessel of free responsibility and (ideally) love; such demotion could not be confused with annihilation. The self remains—and now more firmly grounded.

Kant did not, of course, deny the reality of the Second Good; he merely wanted the self utterly free to seek it. However, by setting man so dramatically to his own devices, he invited his successors, step by historical step, to reinterpret the self as pure will with no proper object but the design of its own egotistic world. The emergent nineteenth-century philosophies of will and their contemporary remnants deserve their rotten reputation. But their worst and original sin, with Kant, was to detach themselves from the primordial experience of responsibility. In doing so they missed the opportunity to understand the self in the only way that could allow it to survive—in the way that Kant himself really hoped. If the self lives, it is not only as distinct from mere "perception" but as the reigning steward of all these perceptual resources of the individual, including reason. It constitutes our very capacity to deploy those resources responsibly in pursuit of the Second Good.

It is necessary to say a bit more about the self as it experiences and then appropriates responsibility. We need not conceptualize it as a ghost who attends the machine. Responsibility is an experience implicating the whole of whatever we are. And it includes the insight that this whole is more than the contingent content of the neuro-blob. The meaning of the self emerges as specific, limited in content, and quite traditional. The self is exactly the potency of the whole individual (hereafter "person") to make (and to sustain or remake) the fundamental choice either to accept or reject the authority of a natural or supernatural order of correct conduct. The self is that power or capacity of each of us to commit freely to seek and, with luck, discover and attempt whatever would be truly right under the circumstances. It is in the exercise of this option to seek that each of us realizes or forfeits his or her own self-perfection (First Good).

I have now casually introduced the term "person" as the word suited to describe the whole of the human individual. This allows me to claim that the "self" is a potency or capacity of that whole, the ability of every person to achieve or to forfeit a specific and important good. As for the rest—the leftover or net content of that whole person—I will happily allow something like the Rad-con view of it. In addition to the self, each person is, indeed, a great cluster of his or her own contingencies, a package that until this point I have called the "blob." Associated now with the self in a manner that constitutes the knowable person, this blob deserves the dignity of a Latin name. I prefer "persona," a portmanteau word intended to capture every vulnerable aspect of "me"—from my material mass to my manners and mind. It is the total of my ephemera consisting of accumulated knowledge, intellectual powers, beliefs, phantasms, pretensions, health, wealth, gifts, looks, tastes,

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social relations, hopes, memories. These aspects of my persona constitute the whole of whatever of me can be experienced by me or others and is distinct from my self. It is my entire repertoire of potentials other than my capacity to commit them all to the pursuit of the Second Good.

I say "repertoire" because the persona is not some unitary faculty. Indeed, many of its constituent elements could not, by themselves, be described as "capacities" at all—bad habits are an example. But, taken as the whole of its content, the persona constitutes the *capacity of the person apart from the peculiar capacity that is the self.* The persona is exactly those resources, intellectual and other, that constitute the net inventory of means available to execute whichever basic commitment one has undertaken. The manifold of the persona is the instrument of the self in the execution of its chosen vocation.

The plainer way of saying this may focus on the two different goods; one is realized by the self, the other by the persona acting under the prompting of the self. The self is the potency for the First Good—the moral (or spiritual) perfection of the person. This good stands distinct from every conception of "success" or "happiness." To be sure, goodness is a reality of the whole person, but it obtains independently of "what happens" to us in life. This is not said to disparage the achievement of happiness (our own or others'), only to distinguish it. When we do gain a measure of happiness—or manage to make the rest of the world a bit better for our presence—we have achieved the Second Good. There are many subcategories of the Second Good; some, like health, are merely natural; others, like justice, are strictly moral. All enrich our persona in diverse ways. As John Finnis would put it, they are "basic human goods," and each of us is obliged to use his own present resources to seek them for ourselves and others. They are the diverse and contingent fruit of correct ideas and conduct and not the simple perfection that is accomplished by the self when it effects the First Good. The menagerie of possible Second Goods is infinite.

Note that the capacity that is the self does not will the performance of specific behaviors. What it wills is a subordination to (or defiance of) one's sovereign obligation to seek and attempt the Second Good. By setting the orientation of the whole person the self fixes the array of possible specific purposes toward which the resources of the persona will be deployed. Again, the ephemera of the persona—its net of resources—are the instruments available to identify and undertake the specific deeds that, if accomplished, appear best suited to fulfill the self's chosen commitment. When the self is committed to the Second Good, its stock of memory, intelligence, relationships, health, and wealth becomes the instrument for the concrete achievement of security, justice, liberty, or fraternity within the domain of personal relations and in the larger world of human institutions.

Elsewhere, Patrick Brennan and I have dubbed the self's commitment to seek the Second Good the act of "obtension," a word that is not quite a neologism. To obtend is to give a reason. And the specific act that self-perfects—that secures the First Good—is the choice of the Second Good as the reason for specific behavior. This view is Traditional in its affirmation both of a real self and of an order of correct conduct. But it is not the tradition of Aristotle, Aquinas, or most of the natural lawyers I know. For the obtending self is fulfilled, not by finding and realizing what is a correct outcome, but by using whatever resources it can enlist from within the persona to *attempt* that very same end. That is what obtension means. It entails the reversal of intellectualism in an affirmation of the saving potential of the will. Obviously the will cannot function apart from knowledge, but the only item of knowledge that is necessary to achieve the perfection called the First Good is the self's awareness that there is an order of correct conduct that we are both free to seek and responsible for seeking. The concept of the responsible self thus entails a magnification of the potency of will and an abridgment of the role of the intellect. (This version of First and Second Goods and their respective modes of fulfillment is adumbrated in the moral theology of Alfonsus Liguori and the practical philosophy of Bernard Lonergan, each of whom understood himself as part of the natural law tradition.)

Grounded in the very earthy consciousness of responsibility, this elevation of the will as the core of the self avoids the charge of mysticism that has plagued Kant. It would be a corruption of language to label responsibility a mere "perception," as if it could be the somatic outcome of tonight's dinner. This is not to deny that responsibility entails both emotional and cognitive (and maybe somatic) effects. But its core is neither specific knowledge nor reason nor sensibility; it is, rather, the recognition of the binary freedom to commit to or to avoid obligation. The self chooses its response—yea or nay. Here is the paradox of a freedom that is also my necessity. To know obligation is to "catch" my own reality.

The positivist is not necessarily convinced. Like the rest of us, he knows this "experience" of responsibility, but he insists that it is merely another neurological event, perhaps of an especially uniform and durable sort, yet exactly what one would expect. For Darwin knows that this talent of our race for responsibility is an adaptive survival mechanism. To a point he might be right; our individual choices to be responsible probably tend overall to preserve the race, even if an indeterminate number of benign decisions can turn out to be hurtful to the Second Good of the choosers and even to

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their intended beneficiaries. Indeed, this is almost the definition of responsibility; it is exercised at the risk of a cost that may be recouped only in the form of self-perfection. But the First Good is not part of Darwin's calculus. Indeed, for him there would in any event be no one to achieve it. We are "nothing buts," and the self evaporates. This is an answer required by Darwinism, and it is every bit as spooky in its own way as Kant's "noumenal" self. In any case, it is the Rad-con premise and a pure reductionism; it is not a point to be argued but a dogma to be rejected.

The more nearly scientific criticism of the responsible self is that of the experimental behaviorist. He notes that all of us blobs are carefully educated; and society's incessant litanies of do's and don'ts have their intended Pavlovian effect. From the moment that an adult first gets his hands on us we are neurologically wired to learn that deeds P, Q, and R are correct and required, while X, Y, and Z are incorrect and to be avoided. It is all a simple case of behavioral modification. He adds that, were it otherwise—were responsibility the experience of anything real—one could, in any case, never know that this is so. For none of us can unpeel the integument of custom and examine the natural state; by the time we can answer the question about the self, it is already too late.

This, I think, is based on a misunderstanding. It is, nonetheless, welcome, because its exposure helps to clarify the idea of the self as the capacity for responsibility. The behaviorist criticism assumes that responsibility comes to us as a litany of rules to be learned. But, to the contrary, the experience that betrays the self is not at all concerned with specific correct behaviors except to affirm their reality and authority. The imperative (or invitation) of responsibility is precisely the call to the self (whether divinely or autonomously generated) to commit the persona to the search for specific rules and judgments; it has no behavioral content of its own. As a child, I eventually become aware that stealing is misconduct. Before I can even grasp such a rule, I need the insight that my choice to seek will issue in moral specifics just like this interesting rule about theft.

The behaviorist would also need to recall that people learn rather different rules of conduct depending upon who is delivering the behavioral modification and when. One has only to live a while to recognize the menagerie of "correct" conducts that are taught simultaneously in different houses (and, over time, in the same houses). What is enduring through all this diversity is the child's (indeed, everyone's) recognition of responsibility. Whatever rules of conduct the particular adult may specify, one primary effect for the child is to confirm the capacity that is already at work in him or her. Parents do, indeed, disagree about what is correct conduct, and that disagreement can in the long run be a problem for the ideals of justice and happiness that any society hopes to realize in the realm of the Second Good; but it is a problem in that realm only. What all but a fringe of parents do agree on is that (whatever its content) there is, indeed, an order of right behavior; and in that reassurance the child is provided his practical opportunity to commit to and undertake the search within his own world. The self is invited to obtend and thereby to achieve the specific good that is its proper object.

To see this is virtually to eliminate the relevance of human memory to our question. As earlier observed, many who deny the self—and some who would defend it—take memory as its criterion. To them we are selves only if we know our own narrative. It is this reliance on memory that invites disproof of the self by exotic hypotheticals involving bodies with multiple memories and the like. But now we see that memory is relevant only insofar as the self needs knowledge for its specific perfection. And once human will is accorded primacy in reaching that perfection—once obtension is sufficient to realize the First Good—the responsible self requires no memory at all beyond its recognition of the imperative to seek the content of correct conduct (the Second Good). The immediate responsibility of the self is to move the persona to *acquire* whatever new information will serve in that search.

Amnesia is a fitting illustration of this point. A man forgets his place in the world; or, put in my terms, through some accident he loses the content of his persona. What he retains is the experience of responsibility; he knows that there is correct conduct to be sought, and that he has the capacity to commit to its search. Here is a self fully capable of perfecting the whole person by doing the best that can be done toward the Second Good with this impoverished persona. It is, in short, not necessary to the perfection of the self that one know anything beyond the experience of responsibility and the reality of an order of the Second Good.

I should think the same to hold for the putative cases of "multiple personality." If two selves actually were to share the same body, each would be confronted with the experience of responsibility. And each could commit to discharge its obligation to seek the specific terms of correct conduct by deploying whatever intellectual and other resources are at its command—awkwardly shared though these would be in respect of this eccentric body.

The adoption of a convention favoring the terms "person," "self," and "persona" would greatly facilitate discourse among and within our three clusters of theorists. The Traditionalist takes the idea of First and Second Goods as truth; he can distinguish them not only in their meanings but in the peculiar modes of their achievement through activity of the self and persona respectively. He may be an intellectualist who

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believes that incorrect behavior by itself prevents the achievement of the First Good; if so, he can now disagree intelligibly with his dissenting Traditionalist brother who supposes that the self does its perfecting work by obtending—that is, by moving the persona to seek right answers as best it can, given its particular resources and circumstances.

Likewise, the Rad-con who would deny humanity everything but its flesh can rely upon the terms person, self, and persona to say exactly what he thinks without equivocation. For him the self can cease to be "nothing but" and become, just as he really supposes, nothing at all. He may at the same time find "persona" surprisingly useful as a positive catchword for the neuro-blob that he conceives to constitute the whole. As it did for Carl Jung, "persona" may suggest the entirety of what one *seems* to be—both subjectively and to others. If I were a Rad-con, I might prefer the term "individual" over "persona"; for the latter is historically contaminated with notions of real value and human vocation. But, in any case, persona is available as a clear concept, once its boundary with "self" and its relation to "person" have been agreed upon.

Meanwhile the Christians may find a niche even for that neglected word "soul." The peculiar perfection that is the First Good can be conceived in natural or theological terms—or both, as Aquinas insisted. And—if both—then a further distinction would be important and would need its own label. The First Good, when it is understood as fulfillment of a natural potential, seems adequately suggested in the word "self"—hence my own preference for "self-perfection" as the nontheological version of this human fulfillment. But, if one also believed that God first empowers then elects the person who self-perfects, we are invited to call this transcendence the eternal perfection of the *soul*—or, simply, salvation.

This moves me in conclusion to revisit my starting point—namely, the experience of the responsibility to seek. The word responsibility here is exactly correct; what we experience is an obligation to go in quest of the right way. But I wonder that this moral calling of ours may be as much invitation as it is responsibility. One can read too much Kant, emerging brainwashed and overborne by "duty." There is a bright side to duty—a very bright side—that Kant chose to avoid. He wanted to manage with reason alone, and this required that the self autonomously legislate its own obligation. One can (barely) conceive of the self doing this; what is quite impossible to imagine is the self *inviting* itself. If in fact it experiences invitation along with responsibility, we seem to have the implication of another. That implication will not be pursued here. I'm content that this vocation of ours, heard either as responsibility or as invitation, could be a friendly call. But the original question here was, "Are we?" It seems we are; I leave it at that. FT

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The Disconsolate Philosopher

Matthew F. Rose

Philosophy is made for man, not man for philosophy. So wise and sane is this axiom that it suggests to us the most sensible method yet devised for assessing *any philosophy: go ahead, give it a try, really live it.* An idea needs legs, and no more humane way exists of evaluating an idea than seeing how it gets about. Does it make meaningful sense of human experience and need? Is it on fair and friendly terms with nonphilosophers? Does it give you a reason to get out of bed in the morning? Can you take it places?

It is philosophy's status as a lived subject that makes analytical philosopher Colin McGinn's intellectual autobiography, *The Making of a Philosopher,* such an interesting, perplexing, and, in the end, perhaps impossible work. On the face of it, perhaps few concepts are as curiously matched for one another as intellectual autobiography and analytical philosophy. Intellectual autobiography is best told as a story of small detonations going off in one's head, shocks that send its author reeling for cover and learning to return fire. It is stubbornly premised on the belief that ideas matter, and because they can make us saints or psychopaths, because they are worth living and dying for, they matter more than anything else. Analytical philosophy, on the other hand, is best explained by its belief that because we are restricted to the field of language, ideas do not really matter because they do not really exist, at least as nine out of ten of us think they do. It is, then, a cynic might say, the sheer improbability of such an undertaking that makes McGinn's work remarkable, as if only a form of intellectual alchemy could turn the stuff of logic and linguistics into an intellectual life well lived.

The notorious dryness of the analytical tradition led Elizabeth Anscombe to remark famously that there's simply nothing more boring than hearing one Oxford philosopher talk about another. Her wisdom is not lost on McGinn, who knows his discipline is not likely to be confused with high drama. "[Mine] is not a tradition that aims primarily for inspiration or consolation or ideology. Nor is it particularly concerned with 'philosophy of life.' . . . This kind of philosophy is more like science than religion, more like mathematics than poetry—though it is neither science nor mathematics." He therefore decides to cast his story as a tour d'horizon of modern analytical philosophy viewed not only as series of arguments, but also as a recipe for action and a way of life. He wants, he tells us, to give us a flavor of its "drama and realism," to see it "not as the pursuit of dried-out bookworms with no life, but as a life of creativity, commitment, and independence of spirit."

Much is read into a philosopher's childhood, but the best we can say of McGinn's singularly unpromising one is that it reads like an uncomfortably literal staging of Plato's myth of the cave. Born to a poor mining family in a dreary town in northeast England, he decided at a young age not to stay "down the pit" and instead concerned himself principally with the great question of his formative years: whether he should be a gym teacher, drummer, or circus acrobat. John Stuart Mill, with Greek in his crib, he was not.

A student of conventional interests, McGinn ambled his way into Manchester University, where, like so many impressionable minds of his generation, he fell under the "Russell effect." His first deep attraction to philosophy seems to owe as much to the allure of the icy figure cut by Bertrand Russell as to the promises of intellectual high adventure or to the nagging questions of a dark

The Making of a Philosopher. By Colin McGinn. *241 pp. HarperCollins. $25.95.*

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night of the soul. The ubiquitous Russell appeared as the epitome of the intellectual, a perfect blend of passion and precision—or, as McGinn less favorably puts it, of "madness and mathematics." The austere elegance of Russell's work, complemented by large helpings of Jean-Paul Sartre, revealed to young McGinn something radical about the nature of thought, something "potent and audacious" about philosophy that could demolish and refashion a world that often appeared to be held together by wishful thinking. The world, he discovered, is fragile to the incredulous and nosy.

Which is to say McGinn had a distinctively modern philosophical awakening, one stirred not so much by wonder or mystical bafflement, but by an unsettling awareness that almost nothing is rationally invulnerable to extreme doubt and that the brave mind must go it alone. He quickly found that on the ground of its own meticulous operations reason could repel itself and "establish the unobvious." ("Can I prove I'm not a brain in a vat?" he asks himself. "Can I make the world disappear?") His passage into philosophy was punctuated by a wry amusement at the mildly perverse tricks his mind could play on reality.

> What struck me at age eighteen about these [skeptical] arguments was the power of reason to overturn assumptions I had taken for granted. It is not that I would now subscribe to these arguments in their entirety, but they are certainly logical enough—and they shatter a central part of our commonsense view of our place in the world. Our commonsense beliefs are not as rationally impregnable as we fondly supposed before we inquired into their foundations. The argument from illusion is like a tidal wave of reasoning that washes you up on a strange, alien beach.

Although McGinn would later temper his youthful enthusiasm for both Russell and Sartre, an odd synthesis of their insights lingers. Throughout his professional life he has combined a relish for the exacting rigor of logical and linguistic analysis with an awareness of the bottomless mystery that is man's inner life.

McGinn's studies take us to an Oxford two generations past as if to remind us, if only momentarily, that there was once a time when philosophers seemed to really matter. On his inspired retelling, it seems like any young man who failed to keep pace with the "Davidsonic Boom," survive a rapid-fire exchange with A. J. Ayer, or stay abreast of Peter Strawson's and W. V. O. Quine's latest work simply failed to be fashionable. His portrait of Oxford during his graduate studies—a philosophical hothouse, he wistfully recalls, characterized by respectful rudeness and the cut and thrust of gentlemanly challenge; a place where fools are skewered gladly and the cognitively hip gather at "Logic Lane"; a land of sherry and tweed—is so delightfully quaint that one cannot help but suspect it has been served up, chatty teas and all, for Americans' irrepressible Anglophilia.

Most of McGinn's early philosophical energy was directed at the standard and demanding questions of analytical philosophy. McGinn, who moonlights from his current post at Rutgers University as a writer for various middlebrow publications, writes as clearly and as entertainingly about abstruse philosophical ideas as anybody. He wears his learning lightly and steers us through the defining questions of modern Anglo-American philosophy with enviable ease. How do you know you have a body or that other minds exist? What is the relationship between the meaning and reference of a sentence? Is there a way we can step out of our subjective world to check that any correspondence holds between physical objects and their reflection in our mental mirror? What are the differences between the correspondence, coherence, and redundancy theories of truth? How do words refer or attach to objects? How can we be certain that a translation is correct?

The first and most important thing to understand about the Anglo-American philosophical scene at that time, however, is that it had already hidden away traditional metaphysical questions as if they were embarrassing elderly in-laws. Guided by practical postwar concerns and tamed by constant chastisement at the hand of a scientific juggernaut, philosophy hoped to become a truly hardheaded discipline in which "real progress could be made, instead of being a swamp of obscurity and pointless wrangling." Philosophy increasingly came to see itself as an immature or incipient science, a residue of pesky problems that would remain only until metaphysics became physics, philosophy of mind turned into neurology, and philosophy of language merged with linguistics. Metaphysics was dead; only the funeral arrangements remained.

Early in McGinn's career various versions of empiricism and logical positivism had already begun to give way to the emergence of "ordinary language philosophy," and to the extraordinary impact of Wittgenstein in particular. The philosophical transformation known as the "linguistic turn," an event that came to define the analytical tradition and overtake nearly every English and American philosophy department, attempted to shut the door on any style of philosophizing that did not concern itself with the way language is "typically" used. It taught that instead of trying to "see into" phenomena, philosophy should rest content with the kind of statements we make about phenomena. As

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Wittgenstein wrote in *Philosophical Investigations*, "We must do away with all explanation, and description alone must take its place. . . . What we do is to bring words back from their metaphysical to their everyday use." We should not, for example, ask what it means to understand, but to inquire what it means to state that somebody has understood.

Questions such as "Is God a Trinity?" and "What is my final cause?" are imagined problems. They are not properly formed questions due to their departure from ordinary modes of speech, and are ipso facto under suspicion of meaninglessness. According to the analytical demand for clarity and precision in definition and usage of words, these questions are no more intelligible than "What color is my invisible dog?" or "How tall is no one?" Philosophical problems arise through misunderstanding our own language and then applying it in ways that it cannot sustain. The result, McGinn sympathetically explains, is the cooling of an overheated imagination.

> The apparently deep philosophical problem of truth vanishes once we notice the actual function of the word in our language: 'true' is a word we use to talk indirectly about the world, when we find it inconvenient or infelicitous to speak directly about it. It is not some mysterious, inscrutable relation that beliefs bear to facts, whatever they might be. For a statement to be true is just for the world to be as it is stated to be—period, argument over. . . . Truth has been tamed, deflated, demystified.

Some thinkers—Richard Rorty comes immediately to mind—have suggested that the linguistic turn in effect ends philosophy in the "Grand Style." Any philosophy that obstinately maintains an interest in, say, the nature and destiny of man is often written off as an exercise in pointless heavy breathing. In curing speech of specters and ghosts, analytical philosophy claims to cleanse the mind of a dreamy fondness for every sort of idealism, vitalism, Platonism, and transcendentalism. Philosophy pre-1900, it can often imply, was guided mostly by the questions of proto-hippies, madmen, and superstitious Catholic mothers.

Philosophy, in sum, should not burden itself with discovering ethereal ideas floating around in a Platonic heaven, but with tending the warp and woof of human speech. When we speak of "the mind" or "the self" we are not talking about a set of numinous inner entities, which are not open to inspection, but about observable actions and language. The emphasis is thus on the *therapeutic* function of analysis—correcting abnormal behavior in speech and in removing illusions, unsolvable riddles, and deceptions from thought. There are no mysteries, only confusions.

Throughout his ably guided tour, McGinn strikes one as basically English: undogmatic, likable, and mostly untroubled at the winnowing of his discipline, by his own admission, into "obscure, narrow, empty disquisitions" on the nature of language. Having written a number of successful books and essays, he rose through the ranks of English philosophy and landed himself the plum position of Wilde Reader in Mental Philosophy at Oxford. Sadly, his brilliant ascent overlapped with his diminishing faith in the promises of the analytical tradition. He laments that "the issues became purely technical, a mere matter of writing your axioms the right way to get out the theorems you were looking for. It was the ever-tempting hope of turning philosophy into a science—misguided, perhaps, but undeniably appealing (sexy, as some philosophers like to say)."

McGinn's seems to be a textbook case of looking at the steam whistle and not the engine, as William James memorably put it. Despite the admittedly "insular" and "scholastic" nature of the worst aspects of his trade, he has never really wandered off the reservation. If his thought world has ever been thoroughly challenged, let alone upended, by a thinker with more classical or medieval leanings, he does not say. Iris Murdoch once faulted ur-analytical philosopher Gilbert Ryle for describing a world in which nobody fell in love or joined the Communist party. McGinn mentions love and conversion, but only with respect to his fondness for video games and his embrace of vegetarianism.

Evaluations of the analytical tradition by Christian thinkers have been, as they should be, mixed. Prominent Christian philosophers Alvin Plantinga and Richard Swinburne, for example, along with those aligned with the Society for Christian Philosophers, operate within the tradition loosely construed—which is to say, a very general tendency to break down arguments into stages and not sound like Heidegger—and their work has won them praise in many quarters for defending the basic reasonableness of holding Christian beliefs as true in a secular context. More appealing and promising, I think, have been theological interests in the uses of narrative, most commonly associated with the "Yale School" of theology and postliberal theologians Hans Frei and George Lindbeck. To the degree that Christianity's approach to philosophy must always remain deliberately eclectic, charitably affirming the best of every school, discarding only that which discounts the possibility of naming God as Trinity, much of this work is highly commendable.

That being said, those more comfortable in a Patristic and catholic worldview find many analytical problems to be hampered from the start. The basic modern and analytical question—whether intelligibility is grounded in the very structure of the real or is imposed

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by man—simply could not have occurred to earlier Christian thinkers. They would have seen McGinn and his tradition as having nihilistically separated mental life from its integral role in the cosmos and given man the impossible task of being a meaning-bestowing entity. This creates a thoroughly naturalized, indeed atheist, self, worlds away from the supernatural self of Augustine, the Cappadocians, and Maximus Confessor, who understood man, as a sanctuary of divine presence, to be a recapitulation of the entire creation. Human nature, according to Gregory Nazianzus, "enfolds all intellectual and sensible nature within itself." Man is essentially representational and plays a role that consists in bringing the entire cosmos to its divine destiny.

The implications of this supernatural cosmology for a philosophy of language are a source of endless fascination—and derision too, especially by the likes of Jacques Derrida. The modern "crisis of the word," as George Steiner has named it, stems precisely from language ceasing to perform the supernatural task of giving expression to the immanent Logos. Rather than seeing language as intrinsically christic (or "Logocentric," as its critics moan), it has become unnaturally restricted to referring to objects in only indirect and extrinsic ways. Louis Dupré speaks of the Christological conditions for meaningful language:

> Only when spoken words partake in that divine Word through which the Creator secures the essential intelligibility of his creation can we safely presume that they intrinsically correspond to the very nature of the real. . . . If we can no longer take for granted that God's decrees follow an intelligible pattern, then we also cease to trust that the eternal Logos secures the basic veracity of human speech. [Lacking this, words are] to be used at man's risk and discretion without carrying the traditional guarantee that, if properly used, they touch the real as it is in itself.

For Christians, language participates in the aboriginal Word, the archetype of created being. "Ordinary language philosophy" therefore has it exactly backwards: language is ultimately meaningful only to the extent that it is liturgical and doxological in character, an appreciation never lost in the Eastern tradition. (It is, incidentally, usually foolish to discount the Let's-Not-Be-Crazy objection in philosophy. Iris Murdoch said perhaps all that needed to be said on the subject. "Language *just does* refer to the world, we *just do* possess the *essential* talent of knowing that something is the same again. Without this human nature would perish and go to ruin. . . . It just has to be so for us to be as we are.")

Herbert Marcuse, of all people, gave us the most entertaining drubbing of the more debilitating and irrational aspects of analytical philosophy. In *One-Dimensional Man* he wrote that in protecting us from supposedly useless mental adventures, it "exhibits academic sadomasochism, self-humiliation, and self-denunciation," creating a "mutilated, false consciousness." Try to expunge mysterious words and categories from life, Marcuse says, and we will soon find that life is not worth living. What is more, analytical arguments can make no convincing case as to what qualifies as our common stock of words and definitions. If philosophy only states what everyone admits or what qualifies as prevailing behavior, who is to decide what passes? Unsurprisingly, analytical philosophy displays prejudices all its own.

> In barring access to [a wide realm of experiences and assumptions], linguistic philosophy sets up a self-sufficient world of its own, closed and well protected against the ingression of disturbing external factors. In this respect, it makes little difference whether the validating context is that of mathematics, of logical propositions, or of custom and usage. In one way or another, all possibly meaningful predicates are prejudged. The prejudging judgment might be as broad as the spoken English language, or the dictionary, or some other code or convention. Once accepted, it constitutes an empirical a priori which cannot be transcended. But this radical acceptance of the empirical violates the empirical, for in it speaks the mutilated, "abstract" individual who experiences.

Marcuse levies essentially the same charge that T. S. Eliot did against heresy: it seizes upon a small truth and pushes it to the point at which it becomes a disfiguring falsehood.

McGinn is disarmingly honest about these limitations, and his mature interests, perhaps in need of stimulation, gravitate towards the very hot topic of human consciousness. How is the physical brain related to the conscious mind? How could the mind just *be* physical events in the brain, as materialists assert? We can of course know about the workings of the brain, but we cannot *know* about the nature of mental experience. Consciousness, McGinn is forced to conclude, is such a fundamentally different phenomenon from the neural processes which accompany it that we are led into a baffling cul-de-sac: we need to know more, but the most highly advanced way of studying the human mind is . . . the human mind. He thus rejects any reductionism that reduces the conscious mind to the physical brain, argu-

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ing that it is not possible to give a complete account of consciousness in purely physical terms. The unfathomable mystery of man's inner life leads McGinn to a moving confession of pious unknowingness:

> It was one of those flashes of insight that I had read about in other people's memoirs. Maybe the reason we are having so much trouble solving the mind-body problem is that reality contains an ingredient that we cannot know. We have only a very partial grip on both mind and brain, but if we could remedy this ignorance the solution to the problem would be immediate and uncontroversial. It's like one of those detective stories in which the detective has only limited information and cannot for the life of him see how to solve the mystery—the crime looks quite impossible to explain in his current state of information—but then he lights upon the crucial missing clue and everything falls into place. But with the mind-body problem, I surmised, the clue is not going to come to light, which explains why we have been mystified by it for centuries. It might come to light, I thought, but it would have to be very different from anything considered so far; it would certainly not be some minor tinkering with one of the theories currently around. And in my bones I felt that there was some deep-seated obstacle in our intellectual makeup that prevents us from discovering the missing clue.

Consciousness presents us with something radically novel, "coming from nowhere, as if a new act of creation were necessary to bring it into being." McGinn's writings on the "preposterous overconfidence" of philosophy to unlock this secret earn for him the name "Mysterian."

A lifetime of philosophy ends on the melancholic note that "we are suffering from cognitive closure." There is little joy, McGinn admits, in admitting philosophy's final condition to be one of "terminal puzzlement" and "permanent fretting ignorance." Yet the problems of philosophy, now seemingly stumped by consciousness, currently appear to him to be of a kind that do not suit the way humans form knowledge of reality. It is rather like using a feather duster to crack nuts: "The task and the tool are not made for one another." In the end McGinn has settled into an immobilizing niche; having used philosophy to magic itself away he is left without the means or passion for pushing on.

Whether McGinn has taken philosophy too seriously or not seriously enough, or if he has been too rational or not rational enough, I do not know. His most serious failures, like most, are those of proportion, charitableness, and gratitude. Where he should have appreciated he often interrogated, where he took out his scalpel his pipe would have done, and where he squinted he might have marveled. McGinn lives neither in the clouds nor on his knees, preferring instead the flattened and tedious world described by Nietzsche as the effects of sterile rationalism. He never encounters an Otherness that cuts across his awareness, he never turns an ear to a rumor of angels, and that's that. But if it is unfair to fault a writer for not writing the book you want, it is grossly unfair to fault a man for not living the life you would have had him lead. McGinn has been candid and engaging, and we should be grateful.

With his typical knack for having things every which way, G. K. Chesterton understood the necessity of playful seriousness in truth-seeking. For him, the only sane philosophy somehow managed to wear the color of fairy tales, the aura of gallantry, and the smell of incense. The Great Tradition, he wrote in *The Everlasting Man*,

> looks at the world through a hundred windows whereas the ancient stoic or the modern agnostic only looks through one. It sees life with thousands of eyes belonging to thousands of different sorts of people, where the other is only the individual standpoint of a stoic or agnostic. It has something for all moods of man, it finds work for all kinds of men . . . it is able to distinguish between real and unreal marvels and miraculous exceptions, it trains itself in tact about hard cases, all with a multiplicity and subtlety and imagination about the varieties of life which is beyond the bald or breezy platitudes of most ancient or modern moral philosophy. In a word, there is more in it; it finds more in existence to think about; it gets more out of life. . . . It gets every type of man to fight for it, it gets every kind of weapon to fight with, it widens its curiosity or sympathy; but it never forgets that it is fighting. It proclaims peace on earth and never forgets why there was war in heaven.

One does feel in McGinn's story, nearly despite all, the tired modern soul kicking against the iron cage that it has made, which leads me to hope his voice is serving some royal purpose in that Great Debate. Though he has long since renounced any belief in the supernatural (God, he thinks, is not a coherent concept), there is a pleasantly odd moment near the end of his book where McGinn is inspired to confess that somehow his thoughts always lead him back to St. Anselm and the biggest game in town: the necessary properties of God. That is a lead to be followed. FT

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Books In Review

Debating the Human Future

Human Cloning and Human Dignity: The Report of the President's Council on Bioethics. With a Foreword by Leon R. Kass. M.D., Chairman. *Public Affairs. 352 pp. $14 paper.*

Reviewed by **Diana Schaub**

On the cover of *Human Cloning and Human Dignity: The Report of the President's Council on Bioethics* is the image of a fingerprint. It's an inspired choice, for the fingerprint, as the Council's Chairman, Leon Kass, explains in the Foreword, "has rich biological and moral significance." The fingerprint is at once emblematic of our common humanity and our individual uniqueness. No two are alike; even identical twins have distinct fingerprints. Presumably a cloned human being also, as a sort of delayed-entry twin, would not be a perfect repeat, at least not all the way down to the tips of his fingers.

DNA is not the whole of our nature. It is, however, a good deal of it, and the question raised by recent scientific developments is whether and how much we ought to stick our fingers in it. Ought we to put our own impress upon the means by which human beings come to be? As Kass points out, fingerprints are the marks left by our grasp on things—a grasp that is sometimes illicit. This is why the police know as much about fingerprints as scientists do. And it is why the decisions to be made about cloning are properly political decisions. It belongs to citizens and legislators to police the bounds of the human grasp, to determine what may be manipulated, manhandled, and doctored, and in what ways. While the liberty of the mind is by right absolute, actions may, with justification, be restricted or forbidden.

Let me suggest another metaphoric image that comes to mind while reading the *Report*: not the fingerprint but the navel, and especially the exercise referred to as "contemplating your navel." I intend the expression rather unidiomatically. "Contemplating your navel" usually means to relax and withdraw from the world in favor of self-absorption, to zone out, waste time, and daydream. This isn't what I mean. I mean, rather, that the Bioethics Council has performed a true omphaloskepsis: it has meditated on the human core and deepened our self-understanding by reflecting on matters often overlooked. In Aldous Huxley's *Brave New World*, the inhabitants of the World State are "hatched" and "decanted" rather than born; I surmise that Huxley's Betas, Deltas, and Epsilons, manufactured in uniform batches by "Bokanovsky's process," are entirely without belly buttons. So, while we still have them, we might do well to contemplate them.

In effect, that is what the *Report* does. It explores the meaning of procreation and the human significance of sexual reproduction. It articulates the links between sexual reproduction and the ground and purpose of the human family, the continuity of the generations, the formation of individual identity, and the bearing of our freedom and our mortality. The *Report* enables us to understand all that is at stake in the advent of asexual reproduction. Cloning is a form of generation that would confound the generations—a woman who had herself cloned would be both mother and identical twin sister to her clone. She would in effect have become the mother of herself.

To aim to be the mother of oneself is the height of hubris and despotism. It is the crime of incest—the begetting of one's own upon one's own—scientifically perfected. The cloning of human beings would be the triumph of the Machiavellian project to conquer fortune and bring everything within the power of human choice and calculation. By raising serious doubts about that modern project, the *Report* offers a vindication of the element of chance in human life. It shows how human dignity is bound up with the lottery of nature and how the ground of human dignity could be imperiled by the attempt to extend human control over the human essence. The counsel of wisdom and prudence is to stick with our old-fashioned, erotic, and happy-go-lucky mode of generation rather than embracing the new science of solitary self-genesis. We should remain true to the belly button—the belly button which reminds us of our indebtedness to our origins, but which also bespeaks our directedness toward a self-standing existence.

In its combination of profound reflection on human nature with immediate policy concerns and decisions, the *Report* is reminiscent of *The Federalist Papers*, a work that Jefferson judged to be "the best commentary on the principles of government which ever was written." I predict a similar authoritative status for the *Report* in the sphere of bioethics. In a sense, the *Report* is even more remarkable than *The Federalist Papers*, inasmuch as the latter had a partisan, and even propagandistic, purpose. Imagine if we instead had a document called *The Constitution Papers*, a joint product of Federalists and Anti-Federalists, laying out for the citizenry the full panoply of argument and counterargument. That is what the *Report* is like. Even when it gives expression to the Council's unanimous opposition to cloning-to-produce-children, it details the arguments that might be mustered in

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support of such cloning. But especially when the topic is cloning-for-biomedical-research, where the Council was itself split, the *Report*, with a united voice, carefully delineates both the majority and minority views, and seeks to bring them into conversation with one another. This dialectical approach is so rare one hardly knows how to respond.

Certainly, one comes away with new respect for the potential of reasoned discourse within a democracy. Moreover, I, at least, came away with the conviction that if one were, with an open mind, to read the whole of the *Report*, including the appendix of personal statements, one would be persuaded of the rightness of banning all human cloning, whether for the purpose of children or research. In the pageant of arguments, some of them look distinctly thin and weak. And yet, dampening one's hope that truth will emerge the winner from the staging of such a pageant is the fact that the participants themselves, despite their respectful listening to one another, did not achieve agreement. Well, they did and they didn't. On the question of cloning-to-produce-children, there was welcome unanimity. However, on the question of cloning-for-biomedical-research, there was a deadlock, with seven members in favor of permitting it, seven for banning it, and three in the middle in favor of a moratorium. What does this deadlock portend for the future?

In the end, the seven in favor of a permanent ban were willing to join with the three in favor of a temporary ban in order to produce a majority recommending a moratorium. From what we have seen so far in Congress, the deadlock is being repeated there. Indeed, the deadlock over cloning-for-biomedical-research may actually make any sort of legislative action unlikely, even a ban on cloning-to-produce-children (and this despite the near universal opposition to such cloning). The division over cloning-for-biomedical-research is a division not so much over cloning as over the status of the human embryo, cloned or not. Until that larger issue—with its implications for embryo research in general, as well as for the current practice of in vitro fertilization, and of course abortion—is resolved, we risk ending up with a laissez-faire policy on cloning that very few Americans want.

It is heartening that the split within the Council was not between scientists and humanists. For instance, four of the six M.D.s voted for the moratorium on research cloning, and in some cases clearly favored strengthening that to a ban. It seemed, indeed, that those who knew most about embryology spoke most persuasively about the unsustainability of the claim that fourteen-day-old and younger embryos might be treated with less than full human respect—because less than fully human. Dr. William B. Hurlbut, for instance, both in his detailed responses on the subjects of gastrulation and twinning, and in his general explanation of potentiality and organismal unity, shows how the evidence of science supports the claim that the early embryo has an inviolable moral status.

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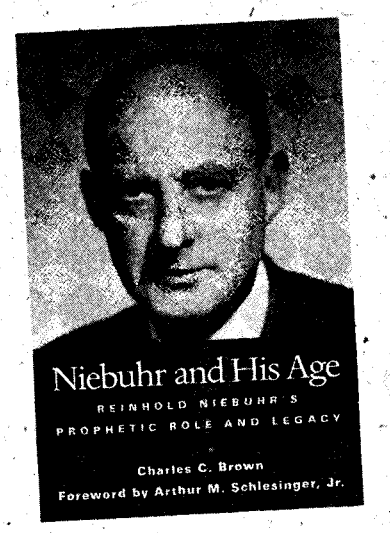

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Kass reminds us in his Foreword that "reasonable and morally serious people can differ about fundamental issues," but I take it that this unique experiment in clarifying the differences is undertaken in the hope that such clarification will lead to the concord of truth. In other words, this is not a matter about which we can just agree to disagree. There is an imperative to continue reasoning with one another, which implies, I think, that there is reason with a capital R out there somewhere, and that reasonable people, were they perfectly reasonable, or even just sufficiently reasonable to the occasion, would arrive at it. As Lincoln said of the slavery controversy, "Whenever the issue can be distinctly made, and all extraneous matter thrown out so that men can fairly see the real difference between the parties, this controversy will soon be settled, and it will be done peaceably too."

Now maybe the cloning controversy is not like the slavery controversy. Certainly, we hope there is no looming prospect of civil war should the division of opinion continue. Kass suggests there is another difference as well. He writes that

> with slavery or despotism, it is easy to identify evil as evil, and the challenge is rather to figure out how best to combat it. But in the realm of bioethics, the evils we face (if indeed they are evils) are intertwined with the goods we so keenly seek: cures for disease, relief of suffering, and preservation of life. When good and bad are so intermixed, distinguishing between them is often extremely difficult.

In talking of the complexity and difficulty of the bioethical enterprise, Kass was perhaps being diplomatic. This remark would be in the same vein as the "reasonable people can differ" statement, inasmuch as it gives further reason for why they might differ.

And yet, for all that is admirable and impressive in the *Report*, I do have some misgivings. I would point out, for example, that it was not at all easy to bring men to see slavery as evil, particularly not once the practice of slavery was well-established in the life of the nation. Moreover, in the controversy over slavery, as Lincoln himself admitted, there were legitimate goods at stake for the slaveholding South—among them security, self-preservation, and the preservation of their way of life, states' rights, specific constitutional guarantees, and I suppose a certain kind of honor. Yet Lincoln's acknowledgment of the weightiness of the South's legitimate concerns didn't stop him for a moment from declaring slavery an evil and insisting that one cannot attain those real human goods by the route of perpetuating slavery. There is a difference between granting credence to the goods sought by one's opponents and granting credence to their arguments or plans.

Armed as we are now with this invaluable *Report*, it seems to me time to frame the issue more sharply. Cloning is an evil, and cloning for the purpose of research actually exacerbates the evil by countenancing the willful destruction of nascent human life. Moreover, it proposes doing this on a mass scale, as an institutionalized and routinized undertaking to extract medical benefits for those who have greater power. It is slavery plus abortion.

Is it, then, either incorrect or misleading or unhelpful to see the dispute over cloning as of a piece with the slavery crisis and the abortion debate? And further, if the example of Lincoln is pertinent, then does talk of moral complexity and the intertwinedness of good and evil and the intractability of the issues make it harder to identify evil as evil and more likely that we will end up in Brave New World, where despotism masquerades as a conception of the good? The motto of the World State with which Huxley's novel opens is

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"COMMUNITY, IDENTITY, STABILITY." I suspect our own path to biomedical despotism will be guided by the words "PROGRESS, COMPASSION, AND CHOICE."

The Conundrum of Evil

EVIL IN MODERN THOUGHT: AN ALTERNATIVE HISTORY OF PHILOSOPHY. By SUSAN NEIMAN. *Princeton University Press. 358 pp. $29.95.*

***Reviewed by* Walter Sundberg**

RENÉ DESCARTES, the father of modern philosophy, begins his *Meditations* (1641) on the self and its place in the world by supposing that a demon, no less powerful than God, controls reality and subjects humanity to the terror of illusion. Imagine, says Descartes, that "the heavens, the earth, colors, figures, sounds, and all external things" cannot be trusted to be true; nor does the human body and its senses convey the actual state of things to the mind. In the seventeenth century, wracked by religious warfare and the witch craze, such a claim was not idle speculation, but spoke to real fears that preoccupied the cultured elite.

Today we commonly reinterpret Descartes' proposal as a thought experiment removed from reality. But should we? What if Descartes' methodological idea is not an intellectual exercise meant to free the mind from reliance on tradition, but a serious analysis of the predicament of philosophy in the modern age? In her superb new book, *Evil in Modern Thought*, Susan Neiman, Director of the Einstein Forum in Potsdam, Germany, explores this possibility. She asserts that "the problem of evil is the guiding force of modern thought." Neiman defines evil as "absolute wrongdoing that leaves no room for account or expiation." Evil is more than crime: "A crime can be ordered, fit in some manner into the rest of our experience. To call an action evil is to suggest that it cannot." The content of what is perceived as evil may vary from one age to the next. What counts is less the particulars of evil than its effect. Evil threatens our ability "to act in the world and to understand it." It raises the fundamental human question of intelligibility. If we cannot order evil, then both practical and theoretical reason are threatened. Evil is just like Descartes' demon: it "shatters our

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trust in the world," throwing us back on ourselves to try to make sense of things that are senseless.

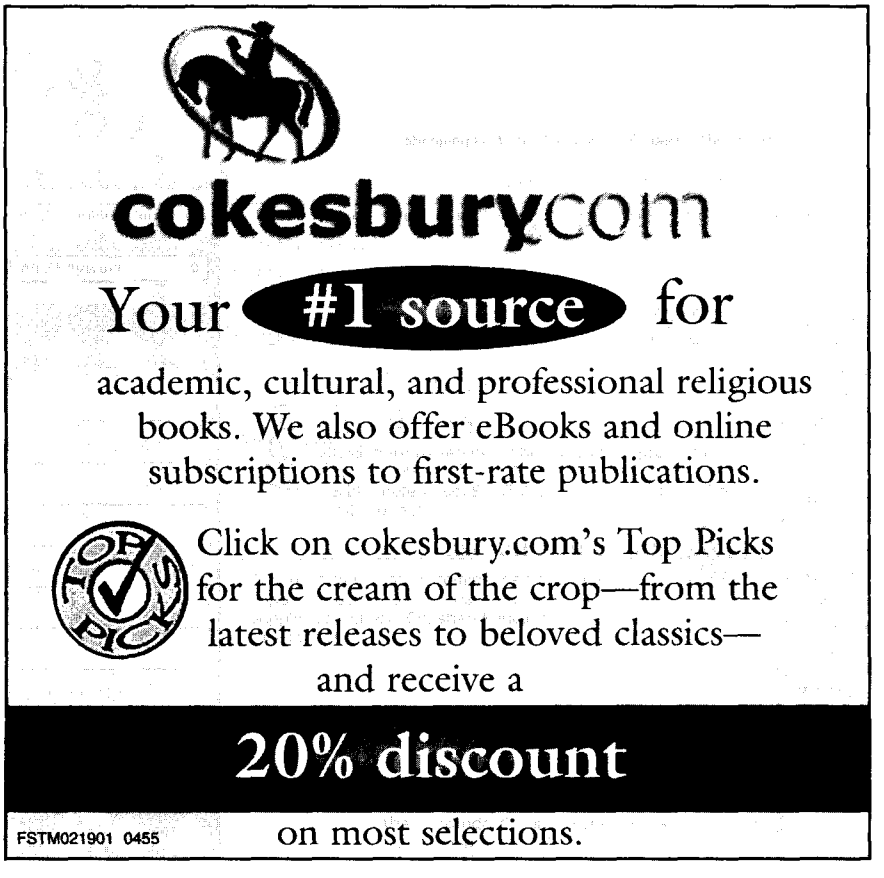
Before the Enlightenment, Christian theology in the Augustinian tradition provided the dominant paradigm for interpreting evil. Calamities that befall us, whether they are acts of nature or deeds of men, are to be understood as punishment for sin—or a result of disorder that entered into creation with the Fall. Ultimately, the purpose of evil was to drive us to repentance and reliance on God. "When men or devils cause us suffering," says Martin Luther, it is the alien work of God "to teach us to have patience and peace." No Catholic of the time would object to this explanation. "Nothing jolts us more rudely than this doctrine," writes Pascal, "and yet, but for this mystery . . . we remain incomprehensible to ourselves."

Certainly there were those who protested theological acquiescence. But they were few in number and frequently condemned. Neiman cites the example of Alfonso X, king of Castille in the thirteenth century. Instructed in astronomy by a Jewish rabbi, the king is reported to have declared, "If I had been of God's counsel at the Creation, many things would have been ordered better." "This little sentence," writes Neiman, "expressed the essence of blasphemy for close to half a millennium." The misfortunes that plagued Alfonso's reign were offered as proof of his guilt. The story of his life became a morality tale that served as a warning.

In his celebrated *Dictionary*, Pierre Bayle took up Alfonso's cause. Bayle thought Alfonso right to complain. Reality is badly designed, history little more than "the crimes and misfortunes of the human race." Christianity makes things worse by teaching the torments of the damned. Evil, whether natural or moral, exposes the contradictions of Christian dogma concerning God. If God is benevolent, He must be weak. Otherwise the world would be better made. If God is omnipotent, He cannot be benevolent. Bayle made Alfonso "the first Enlightenment hero." He also signaled a sea change in the understanding of evil. Acceptance of evil as a mystery was no longer adequate. Either evil must be explained according to human reason or defied by the human spirit.

NEIMAN'S ACCOUNT of the intellectual connections among those who sought to fit evil into an ordered explanation of reality, especially Leibniz, Rousseau, Kant, and Hegel, is rich and detailed. Leibniz's *Theodicy* (a term he coined) rationalized and defended the traditional view against Bayle's attack. The experience of moral and natural evil is the just consequence of the imperfection of all created things. Evil is thus a metaphysical necessity. That the universe conforms to general natural laws, discoverable by science, indicates just how well the creation is made: it does not require special divine intervention to keep it working. Leibniz justifies God's ways to man by declaring in essence "that God could not have done any better than He did."

The Lisbon earthquake of 1755 exposed Leibniz to ridicule and discredited the effort to explain natural evil as part of a rational scheme. The earthquake, Neiman says, shocked "western civilization more than any event since the fall of Rome." No one could justify the arbitrary punishment of so many thousands of victims. In consequence, Rousseau argued that natural evil should be understood as having no inherent meaning. The purpose of nature is to provide the conditions within which man exercises the freedom to become human. This is an historical and psychological process that involves conflict and suffering and which is the proper subject of philosophy and theodicy. That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human nature is not fixed but subject to development means that evil might, at least on occasion, have a constructive role to play. In any case, it is clear that evil (that is, moral evil) comes not from the hand of God but is our own doing. As Neiman summarizes Rousseau, we can do no more than "worry about the evils for which we are responsible."

Kant follows Rousseau in arguing that the only way to order the experience of evil in our lives is to examine our responsibility for the evils we commit. But he remains haunted by the awareness that humanity is subject to testing by an inscrutable will, often experienced as the vagaries of chance. This is the tragedy of human existence that "lives on wrong identifications, opportunities missed and grabbed in the split of a second . . . in short, the power of the contingent." We have the deep desire to penetrate contingency, to know how God and world fit together, but that desire is never fulfilled. Indeed, according to Kant, "providence itself requires that we cannot know it." If we did, then our actions would inevitably be determined by our effort to please God and obtain reward. "Goodness is genuine only if done for goodness' sake. Attempts to give extrinsic reasons for virtue do not merely weaken virtue, they destroy its very essence." The only answer to the agony of existence is the integrity of our good intentions. We must follow where they lead even if they bring no happiness, and even if they fail.

Hegel recoiled from Kant's stark vision. "The sole aim of philosophy," he declared in his *Lectures on the Philosophy of History*, "is to eliminate the contingent." "For Hegel as for Leibniz," observes Neiman, "eliminating contingency means showing this world to be necessary after all." The historical process is an inevitable dialectic of human action in which evil as well as good pushes history forward.

Neiman also examines the rebellious tradition stemming from Bayle that defies the explanation of evil and instead protests the injustice of the human condition. In this line of thought stand Voltaire, Hume, Sade, and Schopenhauer. This is perhaps the least interesting chapter in the book because the story of modern skepticism is an oft-told tale and there are limits to what can be done with the expression of philosophical outrage. (I also remain puzzled by the continued fascination of intellectuals with the repellent ravings of the Marquis de Sade.) What marks these writers, according to Neiman, is their

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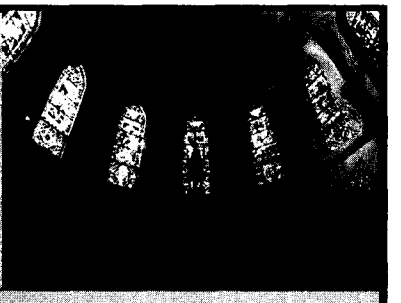
insistence on facing the world "raw": "Experience is just what it seems." The keynote is hopelessness: "Life presents itself," says Schopenhauer, "as continual deception, in small matters as in great. If it has promised, it does not keep its word. . . . If it has given, it does so in order to take."

MORE INTERESTING IS Neiman's account of Nietzsche and Freud, who fit neither among those who seek to explain evil or those who defy it. The preoccupation with the problem of evil, asserts Nietzsche, enervates the human spirit. It saps intellectual and emotional energy by measuring the world in which we live by an ideal world of purity and goodness that does not exist, will not exist, and never did exist. "The problem of evil is . . . a problem humankind brought on itself by creating ideals that put life in the wrong." Freud's argument proceeds along similar lines, although couched in his psychological categories. The attempts to make sense of human misery "are fueled by childhood fantasies and feelings of love." We want a secure world like the enchanted world of nostalgic youth. Thus "we project childhood structures on the universe at large." To find a satisfactory solution to the problem of evil in one's life is impossible.

If the problem of evil made for philosophical difficulties in the eighteenth and nineteenth centuries, especially after the Lisbon earthquake delegitimated the traditional Augustinian paradigm, what is to be said today in light of the event we know by the name "Auschwitz"? Even to the reader suspicious of the exceptionalism accorded the Nazi Holocaust—after all, the twentieth century is filled with horrendous examples of intentional, systematic slaughter—Neiman's treatment of the topic is undeniably powerful. Like Lisbon, Auschwitz is an event that grew in the intellectual imagination over time. It "acquired significance in relation to the web of beliefs in which it occurred." Traditional religious explanations, such as those of pious Jews who see the Holocaust as a judgment on an unfaithful people, are put forward "in opposition to the modern world." Like the arguments of priests in the eighteenth century who said the same thing about Lisbon, this argument about the judgment of God has generally sunk without a trace in serious intellectual commentary.

NEIMAN GOES ON to consider the work of a number of respondents to Auschwitz, but gives the most careful consideration to Hannah Arendt's famous (and infamous) argument



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about the banality of evil in *Eichmann in Jerusalem.* She interprets Arendt as part of a conversation and dilemma that goes back to Leibniz but particularly involves Kant and Hegel: namely, the difficulty of dealing with the challenge posed to our trust in the world by the tragic and senseless force of contingency. There is nothing more frightening, more threatening to our place in the world, than the hammer-stroke of contingency. Contingency seems to envelop Auschwitz. Deportation and murder were carried out by gray bureaucrats who, like Eichmann, did their duty for petty and mundane reasons, neither looking at nor caring for the larger picture of what was going on. Attempts to ground Auschwitz in malice aforethought such as anti-Semitism do not finally satisfy.

For example, Neiman judges Daniel Goldhagen's effort in *Hitler's Willing Executioners* wanting because his condemnation of German society "derives less from historical accuracy than philosophical naiveté." The fact is that "at every level, the Nazis produced more evil, with less malice, than civilization had previously known." To illustrate her point, Neiman makes a telling contrast between the Holocaust and World War I:

> World War I now seems both intelligible and contingent, the lethal fruit of old-fashioned imperialism and early modern technology. From where we are standing, it remains within the outer limits of the normal. . . . We can mourn those who died at Flanders while wondering how their officers could have thought a horse and a good education equipment enough with which to face artillery. By contrast, there is nothing a trainload of deportees arriving at a Polish camp might have known. Auschwitz beggared expectation.

To think about this is to enter into the heart of darkness.

The subtitle of Neiman's book is *An Alternative History of Philosophy.* The book is an education in modern philosophical thought, attractive to the nonspecialist, because the challenge to understand evil is an issue that faces any thinking person. The existential relevance of the problem of evil has energized Neiman to tell the story of philosophy as that of a discipline that seeks wisdom about the most pressing human problems. In this, she stands apart. "Like many oth-

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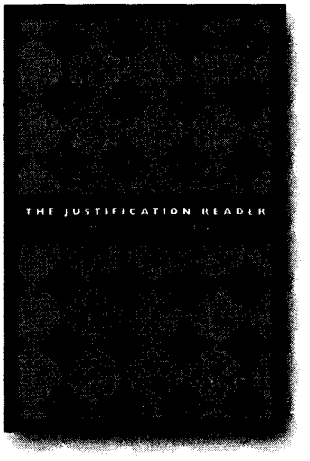

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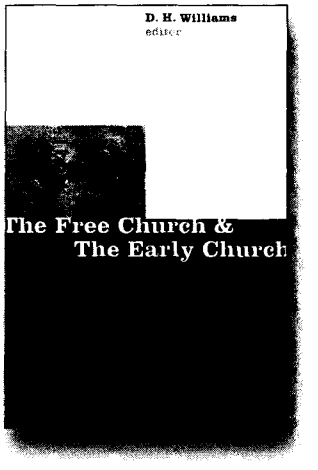

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ers," she confesses, "I came to philosophy to study matters of life and death, and was taught that professionalization required forgetting them. The more I learned, the more I grew convinced of the opposite: the history of philosophy was indeed animated by questions that drew us there."

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Since the Second World War, philosophy in Great Britain and America, with few notable exceptions, has been beholden to an inbred academic culture obsessed either by a narrow construal of epistemology and methodology or the groupspeak of left-wing ideology. This has made the ancient vocation of philosophy the domain of the logician or the politically engaged. Neiman rejects both of these alternatives. The result is a book that takes up the traditional canon of great modern thinkers, interpreting them in terms that they themselves considered crucial. The question of evil illuminates the thought of these figures in an original way, so much so that Neiman's claim to have written an "alternative history" is not an empty boast. Hers is a book for mature people who do not expect pat answers, who are willing to be disturbed by arguments instead of having their prejudices satisfied.

The Perils of Partisan History

ALEXANDER HAMILTON AND THE PERSISTENCE OF MYTH. By STEPHEN F. KNOTT. *University Press of Kansas. 336 pp. $34.95.*

***Reviewed by* Barry Shain**

ALEXANDER HAMILTON and the Persistence of Myth is a book from which one can learn a great deal, but neither about Alexander Hamilton nor the persistence of myth. It is concerned with American history—more specifically, the history of the American Founding. It focuses on two representative symbols, Jefferson and Hamilton, and the persistent bifurcation in Americans' self-perception as a nation committed, on the one hand, to democracy, equality, localism, populism, strict constitutionalism, and agrarian economics—and, on the other, to limitations on popular political expression, hierarchical organization, centralization, elitism, a loose construction of the Constitution, and commercial economics. Jefferson and Hamilton quickly became the symbolic expressions of these competing socioeconomic programs, and it is the history of this association and their changing character that Stephen F. Knott tells.

What makes Knott's story compelling is the polemical nature of the historiography surrounding the Founding, as well as the changing national characterizations of Jefferson and Hamilton as alternating waves of vilification and hagiographic praise swept across the historical landscape. As Knott shows, these patterns responded with predictable regularity to changes in the economic and social environment. In particular, Hamilton's standing rises and falls with the stock market. Yet, in spite of our overall prosperity, Knott perplexedly reports that Hamilton has regularly been on the losing side of this national battle, as indicated by the disparity in Washington real estate devoted to each man. But what makes this work stand out is the detailed manner in which Knott draws to the reader's attention the persistence of politicization surrounding early American historiography. The cumulative effect of this unfortunate story is likely to undermine confidence in past historical objectivity, or even our current ability to do better.

These depressing possibilities are not conclusions that Knott reaches. But anyone reading his book who is not a "believer" (and it does approach religious zealotry) in the truth or righteousness of either Jeffersonianism or Hamiltonianism is likely to reach similar conclusions concerning the difficulty, if not impossibility, of

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writing balanced early national American history. In his telling of this story, one should not expect much from politicians, but what is less expected is the consistent partisanship displayed by the most preeminent of nineteenth- and twentieth-century historians. As Knott observes, FDR's promotion of Jeffersonianism was politically excusable, but "less justifiable was the lowering of scholarly standards by the nation's intellectuals, who promoted a simplistic common folk versus plutocratic view of American history . . . [and] offer[ed] a glaring example of historians in the service of a political movement." Across the historical landscape, Knott shows (sometimes inadvertently) that historians (and political scientists) have served as apologists for Jefferson or Hamilton as they advanced both their political and professional interests.

IT IS THIS STORY, then, that Knott, modeling his effort on Merrill Peterson's *The Jefferson Image in the American Mind*, tells so powerfully. Knott shows that Hamilton, from the days after his death to the early years of the twentieth century, was regularly lauded in New England and the Middle Atlantic states, and vilified in the South and West. The image that seemed to endure the longest and yield the greatest animosity resulted from Hamilton's monarchical sympathies. But even during the Jacksonian years, when Hamilton's historical reputation was at its nadir, there were men like Chancellor Kent who wrote that "if Hamilton had lived twenty years longer he would have rivaled Socrates or Bacon." More expansive still was the attitude towards Hamilton, again almost wholly in the North, that emerged from the carnage of the Civil War and the perception that Hamiltonian centralization would have prevented the war. At least in the North, these were good years for Hamilton and bad ones for his fraternal twin.

The Gilded Age, however, would be an even better time for Hamiltonian adoration. Among scholars, one finds John Torrey Morse, John Bach McMaster, Hermann von Holst, and Henry Cabot Lodge lovingly protecting his memory. But there were also highly respected critics: John Fiske, William Graham Sumner, George Bancroft, and Henry Adams. In particular, we learn that Adams was responsible for having reported that Hamilton had described the democratic "people" as "a great beast." As Knott shows, this putative remark took on a life of its own, for "it was around this alleged view that Hamilton's opponents and detractors gathered most consistently, both then and now."

Still, even during these years of ascendancy, Hamilton remained highly controversial in the South and the West. This was especially true for Populists—men such as Tom Watson and William Jennings Bryan. More damaging to Hamilton's reputation, Knott reports, was the fact that these populist antipathies "were embraced by progressive historians and political scientists whose writings influenced the new century's political leadership. Charles Beard, Vernon Parrington, Claude Bowers, and William E. Dodd absorbed the undercurrents circulating in the 1890s and incorporated these themes into their later works."

Nonetheless, Hamilton continued to ride high in the earliest years of the twentieth century. Knott notes that Theodore Roosevelt was surely the most zealous of Hamiltonians to occu-

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py the White House. Herbert Croly, likewise, owed an intellectual debt to Hamilton, and the same might be said of Walter Lippmann. As one moves into the 1920s, one finds Hamilton continuing to enjoy warm support from both Warren Harding and Calvin Coolidge.

But with the Great Crash, admiration for Hamilton fell along with the market, and this provided an opening for the progressive historians' attacks on him. Contempt for Hamilton was also common among a number of Northern poets, including Ezra Pound, William Carlos Williams, Stephen Vincent Benet, Carl Sandburg, and John Dos Passos. Knott concludes that "with poets and novelists voicing the despair of depression-era America and Hamilton branded as the cause of that despair, the 1930s witnessed a hemorrhaging of his reputation the likes of which had not been seen since the age of Jackson." Yet things would get worse.

As partisan as these historians and poets were in their treatment of Hamilton, more unbalanced still was the fanatical devotion to Jefferson among the next generation of early American historians. This is where Knott's account has the greatest bite. Indeed, it is at the pinnacle of the historical community that one finds some of the most passionate political actors writing in the service of their politics and in devotion to its preferred symbol. The writings of Merrill Peterson, Julian Boyd, Dumas Malone, Adrienne Koch, and Henry Steele Commager, to say nothing of the more honest zealotry of Howard Zinn and Staughton Lynn, are filled with anti-Hamilton partisan rancor, and Knott is quite effective in exposing it.

Among the most egregious of these historians was Koch, who "viewed Hamilton as Curtis LeMay in a waistcoat and breeches." A glaring exception to this consensus was the iconoclastic Forrest McDonald, who "challenged, in a rather blunt fashion, much of the accepted wisdom surrounding Hamilton and his great adversary from Virginia" and showed that "it was Hamilton who sought a social revolution to overturn the power and privileges of the 'oligarchs who dominated the American republic.'" On balance, though, the historiography of the latter two-thirds of the twentieth century seems to be among the most polemical in the nation's history.

Yet, for Knott, by the end of the century, "there were indications that Hamilton's long national nightmare might be over, that a balanced

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reassessment of his importance as a founder was under way." Importantly, Knott believes that this has occurred because the scholarship of "succeeding generations of Straussians and neo-Straussians rejected the distorted Hamilton of Bowers, Boyd, and other progressive historians." Knott, therefore, ends his historical survey on a relatively optimistic note.

IN HIS FINAL REMARKS, Knott outlines a skeletal rebuttal to the charges leveled against Hamilton by the prominent politicians and historians surveyed in this work. Indeed, he goes so far as to suggest that almost all we value today in America results from the prescience of the first Secretary of the Treasury, for "the America that explored the outer reaches of space, welcomed millions of immigrants, led the effort to defeat fascism and communism, produced countless technological advances, and abolished slavery and Jim Crow is Hamilton's America." But, particularly when offered as a string of assertions, is this assessment any less polemical than those of the historians that Knott rightly criticizes for excessive partisanship?

The problem with such statements is that they implausibly exaggerate Hamilton's influence—and thus fall prey to the same kind of partisan distortions as those who wrongly trace the greed and materialism of modern America to him. Apparently Knott has failed to take account in himself of the very flaw he rightly finds so frequently in others. By this, however, I don't mean to suggest that one can transcend all political attachments when doing history. Nevertheless, it is likely possible to do better than Knott has in providing a dispassionate evaluation of Hamilton and America's early national history.

Knott's partisan defense of Hamilton leads him, for example, to miss a singular feature of the historiography he examines: the propensity to conflate democratic or popular aspirations with liberal individualistic ones—and, conversely, to assume that all nonliberal political thinking is necessarily hierarchical. The reality is that democracy and liberalism enjoy distinct essences and have enjoyed separate histories in America. That is, democratic and nonliberal aspirations have worked together in America at least as often as have democratic and liberal ones. Similarly, hierarchical sympathies could be conjoined to liberal economic and political goals, as they clearly were for many Loyalists and Federalists. American historians

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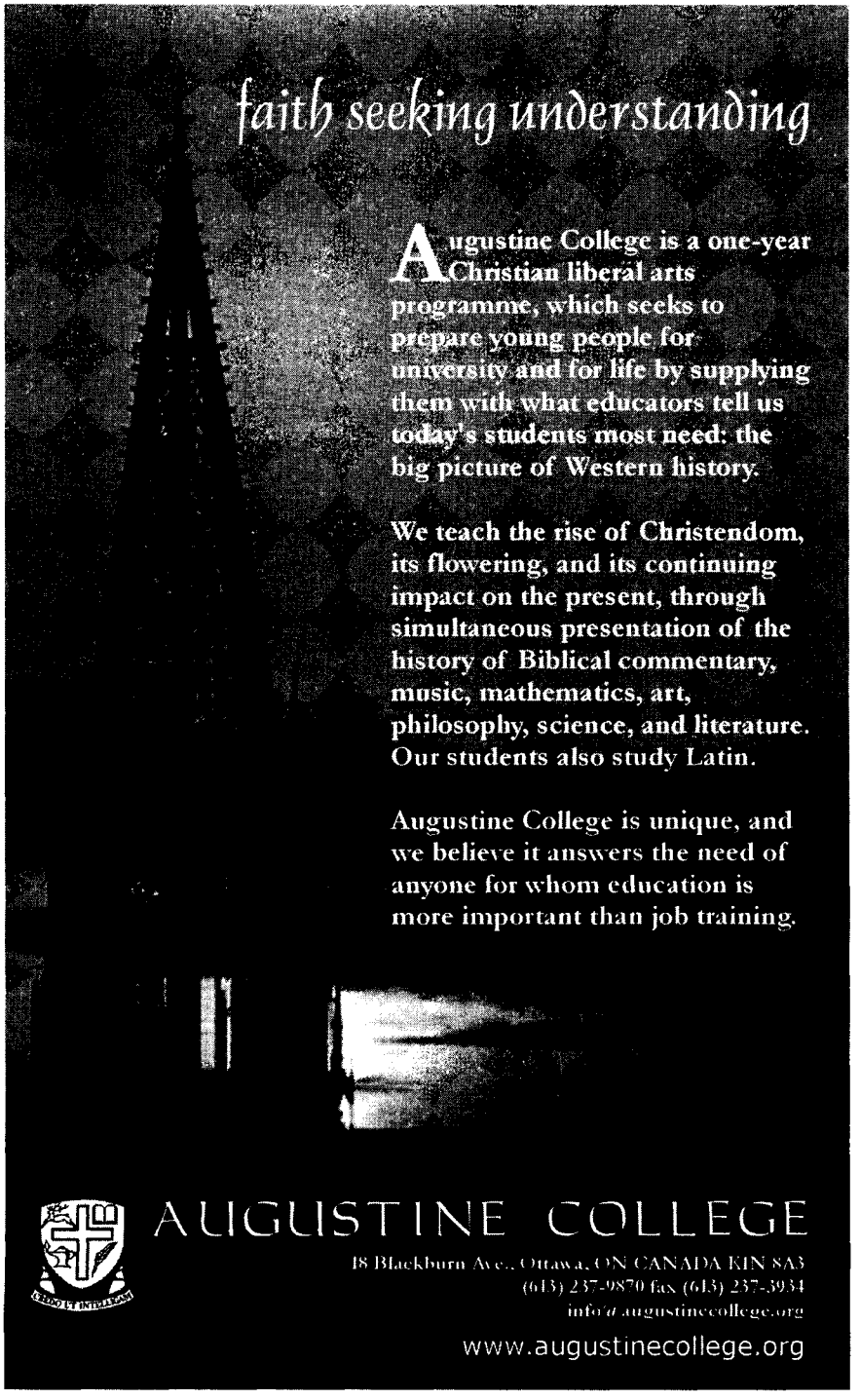
and public figures value both democracy and liberalism, and are doggedly committed to keeping all good (and bad) things together. As a result, historians—and here Knott doesn't do much better—have tended to ignore the reactionary sentiments closely linked to the Jeffersonian Republicans as well as the modern, liberal features of Hamiltonian Federalism.

Still, these shortcomings take little away from the quality of Knott's book, which should be read by all who are interested in the historiography of the Founding. However future debates about the Founding's meaning might unfold, Knott's fine book has made an important and lasting contribution to them.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In the Beginning Was the Word

LAUNCHING LIBERALISM: ON LOCKEAN POLITICAL PHILOSOPHY. By MICHAEL ZUCKERT. *University Press of Kansas. $19.95 paper.*

***Reviewed by* Joshua Mitchell**

PARAPHRASING THE Gospel of John: "In the beginning was the Word. And the Word was One. And the Word brought forth a world." Can the words of man be equally univocal, and have the same capacity to usher forth a world?

In their study of the history of political philosophy, scholars seldom phrase their questions in quite this way; yet such study cannot long avoid the issue of the relationship between the written word—the "text"—and the world of which it subsequently becomes a part. In what sense do the texts written by the *seminal* authors of Western Civilization—the adjective already betrays one possible answer—bring forth worlds? Did the dangerously luminous writings of Nietzsche and Heidegger authorize National Socialism? Did Rousseau's sometimes ecstatic ruminations give rise to the French Revolution? Did Locke's ideas bring forth the American regime? In other words, do the writings of some authors loom so large that they cease to be mere "thought" and instead become "doctrine"—that is, a set of ideas of such definitive stature that they reconstitute the world rather than merely seek to understand and evaluate it in various ways?

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I suggested at the outset that there are theological overtones to these overtly political and historical questions. But the history of political thought also provides a warrant of sorts for this way of viewing the relationship between word and world. Plato's dialogues, various Roman writings, Machiavelli's *Prince*, Rousseau's *Social Contract*, Tocqueville's *Democracy in America*, Nietzsche's *Beyond Good and Evil*—all of these distinguished sources state or imply that founding ideas can constitute a world. You will note that this view cuts across time and political views. It is, then, ubiquitous in the history of political thought—a common point of departure for those for whom politics pertains to First Things.

In the twentieth century, the question of the relationship between philosophical ideas and political foundings became an especially urgent one, above all for those scholars whose personal destinies were bound up with the mid-century conflagrations in Europe. For these writers and thinkers, the history of political thought became the place to search for the source of the "doctrine" that animated National Socialism. The obvious choice for such a source were the writings of Nietzsche and Heidegger, both of whom traced the root of the Western "disease" (which Germany sought to purge through the total mobilization of revolutionary violence and war) to Plato. The issue was whether the overarching concerns and motivations contained in the writings of Nietzsche and Heidegger—the longing for cultural renewal, the hunger to create afresh without reference to the "anachronism" of "morality," the desire to "open" oneself to "fate" or "destiny"—could be seen as guiding the events that unfolded, much as a puppeteer guides his puppets. Did, in other words, the "words" of Nietzsche and Heidegger provide the "doctrine" for the Nazis?

If this was the case, as numerous scholars of the time apparently believed, then responding to Nazism would require a return to the questions posed by Nietzsche and Heidegger. And this would lead, in turn, to a confrontation with Plato—the thinker whose words supposedly provided the ultimate, founding "doctrine" for Western culture as a whole, a culture whose decadence and decline, according to Nietzsche and Heidegger, no less than to Hitler, demanded a radical, even epochal, response.

AFTER THE WAR, several prominent scholars sought to engage in such a confrontation. Among the most influential of these was Leo Strauss. Michael Zuckert's *Launching Liberalism: On Lockean Political Philosophy* is, in large part, an attempt to revitalize a Straussian reading of the history of political thought. Accordingly, Zuckert makes a series of arguments that will be familiar to those who have encountered that reading in Strauss' own work or in the numerous books and essays produced by his many accomplished students (and students of his students): that the abundant inconsistencies and contradictions that scholars have identified in Locke's corpus were intended by Locke; that these inconsistencies and contradictions mask a coherent esoteric "doctrine" that can be deciphered by interpreters of requisite care and attentiveness (like Zuckert himself); and that this Lockean "doctrine" was in some measure responsible for the American political founding.

All of these idiosyncratic claims can be traced to Strauss' writing and teaching—most of which was animated by two central concerns. The first of these was historicism and its implications for morality. In light of the collapse of the moral world in Europe during the first half of the twentieth century, historicism would indeed seem worthy of concern. After all, if our world is wholly contingent and contextual, lacking in any transcendent standard or limit, are not all things possible and permitted, including the Holocaust?

Strauss' answer to historicism is that philosophers, at least, can be seen to transcend their historical context when we interpret their texts in light of the author's deepest "intentions." It is here that we encounter

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Strauss' second main concern—namely, esoteric writing. That certain authors in the history of political thought wrote esoterically—that is, insinuated some of their ideas "between the lines"—is beyond question. What is crucial for understanding Strauss and Straussians like Zuckert is why Strauss thinks esotericism is an answer to historicism.

Historicism effectively denies authorial voice, since any possible understanding of a book reduces it to its historical context. Strauss' response is that we can, in fact, establish authorial voice, not so much by what is explicitly written, but rather by identifying the manner in which an author covertly defects from, deliberately obscures, or undermines what he states on the surface of his text, the surface being that part of the text that conforms most closely to tradition and convention—in short, to the historical context in which an author finds himself. The author's intentions, to speak somewhat geometrically, can be established by a careful reading of the locutional asymmetries in his text. Through a hermeneutics of suspicion and incredulity, the Straussian interpreter seeks to show that every tension or contradiction on the surface of a text points to a deeper, hidden but intended meaning on the part of the author, which shows that he did not blindly accept the conventions of his time and place.

Strauss' method of reading, then, provides a potent and original response to Nietzsche and Heidegger: their attacks on, for example, the "Platonism" of the West miss the mark because Nietzsche and Heidegger take no account of the true esoteric "teaching" that Plato reveals to the careful reader. Their substantive claims about Plato are thus wrong, since the very aspects of Platonism that Nietzsche and Heidegger meant to refute were not intended by Plato to be taken seriously in the first place. Those aspects were merely the "exoteric" or surface teaching of those texts. Now, this is not to say that Strauss meant to deny that something called "Platonism"—above all in the form it took once it was co-opted and democratized by Christianity—is responsible for something very much like what Nietzsche and Heidegger considered the decline of the West. Strauss never ceased to believe that the "word" of the philosophers provides the founding elements of human cultures. But it is to say that Strauss' doctrine of esoteric writing enabled him to "save" the philosophers themselves from those (surface) aspects of their writings that may have contributed to the decline.

There are several significant problems with the esoteric method of interpretation—but there is one that is particularly apparent in Zuckert's *Launching Liberalism*. What I have called the "locutional asymmetries" that supposedly reveal an author's intentions cannot be identified unless there is a stable backdrop against which they can be measured. In principle, it is possible to establish Locke's esoteric intention only if it is possible first to establish a discontinuity between, say, what Locke says about Christianity and the unambiguous, definitive essence of Christianity itself. That is, it can only be shown, as Zuckert tries to do, that Locke subtly and intentionally misreads Christianity if the essence of Christianity can be definitively identified. In Zuckert's words:

> The evidence seems very strong that Locke's doctrine is in disagreement with traditional authorities . . . and also the Bible, but that Locke seeks to enlist these authorities on his side, using them in misleading ways so as to obscure the real differences between him and them.

Without coherent entities like "Judaism," "Christianity," and "modernity," it is impossible to ascertain whether an author's contradictions or subversions are intentional. Thus, in books like Zuckert's we find an enigmatic mix of exquisite subtlety and bald assertion: on the one hand, extreme care in parsing a text for its multiple valences; and on the other

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hand, an unrivaled naiveté about the possibility of unproblematically identifying the essence of the "tradition"—since when is a tradition univocal and inflexible?—against which the author supposedly wrote his text.

Yet even under the assumption that such a univocal voice is possible at all, we are obliged to ask: When, for example, did Judaism become "Judaism?" Upon the completion of the Torah? Later? Earlier? Was Plato always "Plato"? Or can his dialogues be justly divided into the early, middle, and late periods? Is Christianity "Christianity" upon the occasion of the writing of the Synoptic Gospels? Or must the Epistles also be included? Does Christianity cease to be "Christianity" upon the advent of the Reformation? When does Hobbes become "Hobbes," or Locke become "Locke"? When, in short, do the unities that must exist in the Straussian world in order for an esoteric reading to reveal an author's intention actually become unities? These are not trivial questions. And however sympathetic one may be to the criticism of historicism that Strauss makes (and Zuckert's restatement of that criticism is very powerfully and persuasively done), the alternative has its own profound problems.

THE TITLE OF Zuckert's book, *Launching Liberalism: On Lockean Political Philosophy*, is itself revealing. First, there is a single, unified Lockean political philosophy. Second, it is responsible for "launching liberalism." The univocal word brings forth a world—however subsequently modified.

With respect to the first claim, that Locke's philosophy is coherent, most scholars remain unconvinced. And *Launching Liberalism* is unlikely to convince any who are not already persuaded by the suppositions on which Zuckert bases his analysis. Most scholars now believe that Locke was a nominal Christian of some sort—and that this belief suffused his writings, especially late in his life. Why else spend one's last years toiling away on such books as *The Reasonableness of Christianity* and *A Paraphrase and Notes on the Epistles of St. Paul*? Life is short, especially for the unbeliever. If the case is to be made that Locke was not a believer, it will not do simply to point out places in his writing where he subtly undermines some ideal version of "Christianity," especially when, in the aftermath of the English Reformation, the very identity of Christianity was a topic of considerable dispute.

But Zuckert seldom mentions the Reformation. Indeed, when he turns

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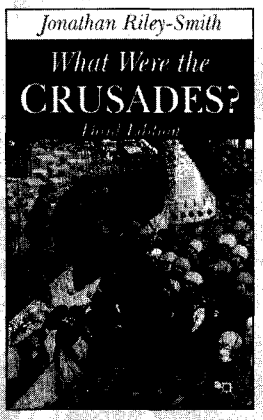

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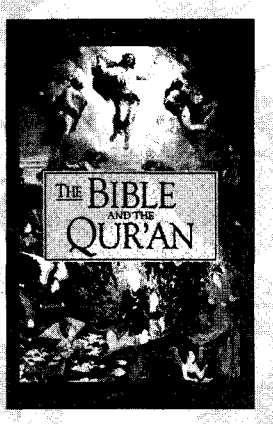

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to a consideration of the relationship between Locke's *First Treatise of Government* and Filmer's *Patriarcha*—which take opposing views on the place of Adam in establishing temporal political authority—Zuckert seems utterly baffled by the terms of the debate, and so invokes the deus ex machina of esotericism in order to make sense of the text before him:

> It seems an almost absurd suggestion that Locke's consent-based government and Filmer's patriarchal government are the alternatives—surely Plato, Aristotle, Thomas Aquinas, Machiavelli, and Hegel, to name a few non-obscure philosophers, fall into neither one camp or the other.

Hence Locke cannot have believed what Locke claimed to believe. His choice to focus on the figure of Adam as a way of determining the original justification of government must, in other words, have been a ruse—an "intentional" act of covert conformity to his historical context. That Locke actually believed what he claimed to believe is unthinkable to Zuckert because he refuses to entertain a far less speculative possibility—namely, that, like so many other early modern political philosophers, Locke assumed that, within Christian Europe, the biblical historical horizon was the only justifiable point of departure for reflection on matters political. For this less intentionally deceptive Locke, the political options proposed by Plato, Aristotle, and the others could not be taken as seriously as Zuckert believes they should be precisely because these authors had little of value to say about this biblical horizon.

Within this horizon, the question to which Locke and Filmer give such different answers concerns the proper relation of Adam to Christ—and the proper relation of both to human government. And who, we may ask, is the author who first sets forth this pairing of Adam and Christ? It is none other than St. Paul, the very author whom Locke spent the last years of his life writing about in his *A Paraphrase and Notes on the Epistles of St. Paul.* Because St. Paul is one of the central figures to which the Reformers recurred in order, ostensibly, to think through Christianity anew, it seems eminently reasonable to assume that Locke himself was thinking within this world of biblical concerns. It thus also seems eminently odd that Zuckert insists that Locke's "doctrine" intentionally undermines

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"Christianity"—a position that could appear to be plausible only by denying, against so much contrary evidence, that Locke intentionally worked (sometimes hesitantly, to be sure) within the range of categories and understandings that were established during the Reformation.

With respect to the book's second main claim—that Locke's philosophy launches liberalism—Zuckert is more careful, his title notwithstanding. His book contains four parts, the third of which is entitled, "Forging the Lockean Amalgam." Here Zuckert recognizes that Locke, unadulterated, is not singularly responsible for the American founding. Yet even in this section of the book, it is perplexing that religion plays no part in the tale he tells. That lacuna, however, seems to be a necessary component of the larger Straussian tale he wishes to retell and preserve. It is a story that presupposes the existence of a univocal Christianity that the "wise" and ever-cautious Locke—like all philosophers of the modern period worthy of the name—rejected and subverted without ever deigning to announce it.

BRIEFLY NOTED

INTELLIGENT DESIGN CREATIONISM AND ITS CRITICS: PHILOSOPHICAL, THEOLOGICAL, AND SCIENTIFIC PERSPECTIVES. Edited by ROBERT T. PENNOCK. *MIT Press. 805 pp. $45.*

Advocates of Darwinian naturalism would like us to believe that the universe simply flashed into existence one fine day all on its own; and then, fifteen billion years later, after a lot of Lucretian swerving and careening, the cloudy cosmic dust left over from the Big Bang gathered itself under the aegis of natural selection (whatever *that* is)—and suddenly up pops the Taj Mahal, Mozart operas, Woody Allen movies, and *I Love Lucy* sitcoms. This arrant absurdity is so massively counterintuitive that it generates not just unease among the general populace but, more crucially for understanding this book, a *certainty* among members of several schools of natural theology that rationality and intelligence must be behind a universe as complex as ours. So far so good, but these "Intelligent Design" (ID) advocates go much further. Although they differ considerably in details, these proponents usually go on to specify a *direct* intervention by a transcendent intelligence. Although I disagree with this scenario, some of their argu-

THE TIME IS NEAR

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OURS IS AN ANXIOUS TIME, with talk of clashes of civilizations and orthodoxies, dirty bombs and killer viruses, coming economic depressions, and violent movements all around the world dedicated to destroying modern societies. Even sober scholars write books on the end of Western civilization. Apocalyptic books are selling tens of millions of copies, and apocalyptic movements are growing in all the churches.

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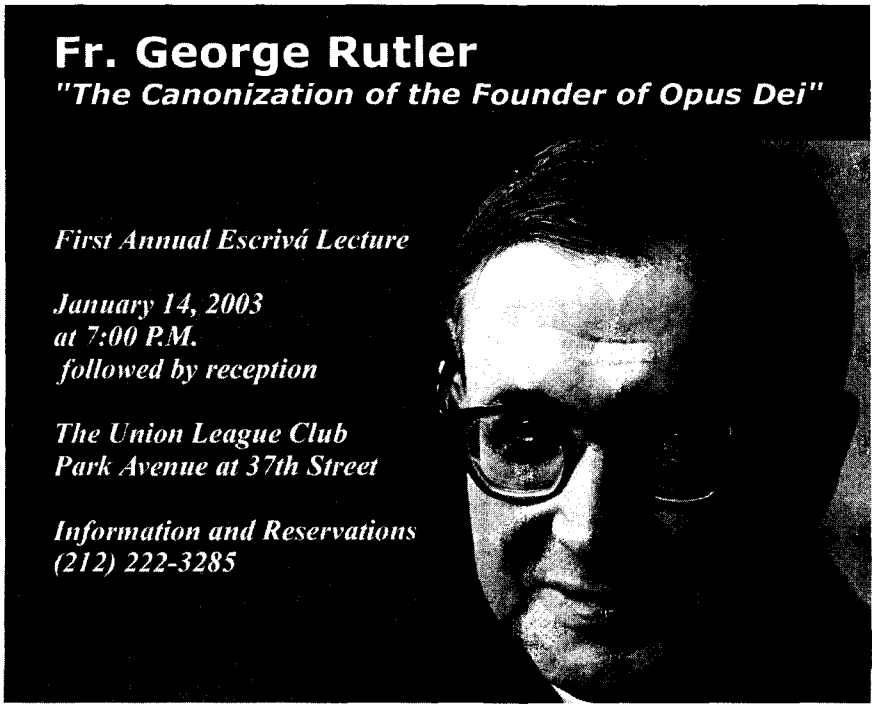
ments are not easily refuted, and let's say this for the ID movement: it certainly has awakened the Darwinians from their dogmatic slumbers, although on the evidence of this volume most of the Darwinians seem all too eager simply to grumble, roll over, and go back to sleep. Unfortunately, given the interminability of the debate, only a few voices in the book seek to find a *tertium quid*—that is, a wider outlook that could lift the debate off its current hinges and onto a more illuminative level. Although here, too, in the reconcilers' camp, embarrassments abound, as in Arthur Peacocke's insouciant discernment of divinity in Darwinian "process." Only Howard J. Van Till seems to get it exactly right: "I have long been sorely vexed at the frequency with which the warfare metaphor has been employed in the discussion of the relationship of natural science and Christian belief. And my irritation seems to be irreversibly amplified each time I observe the proponents of 'creation-science' or the preachers of modern Western naturalism resonantly encourage one another in the perpetuation of this conflict thesis in the service of their own polemical agendas."

—Edward T. Oakes

THE ETHICS OF AQUINAS. Edited by STEPHEN J. POPE. *Georgetown University Press. 496 pp. $39.95.*

Stephen J. Pope, associate professor of social ethics in the Boston College Department of Theology, asked twenty-six scholars to explain the Second Part of the *Summa Theologiae*. The result is a comprehensive guide that takes both student and scholar point by point through St. Thomas' introduction to the Christian moral life, raises questions for further study, and identifies the best resources available for further explanation. The scholars, who include Romanus Cessario, Jean Porter, and Martin Rhonheimer, are all veterans on Aquinas from various academic disciplines and are given ample freedom to address their respective topics as they see fit. Servais Pinckaers' essay on the sources of Christian ethics, a history of Thomas' life, and Pope's methodological overview of the *Summa* introduce the book's main subject. The nineteen essays in the major section of the book situate each treatise within the *Summa* and/or the Western intellectual tradition and then show how Aquinas' arguments build his position on a succession of disputed questions into a complete treatment of the subject. The third and final section, in six essays, outlines the legacy of twentieth-century Dominican, Redemptorist, and Jesuit schools of interpretation, Bernard Lonergan's understanding and use of Thomism, and interpretations of Aquinas' ethics since Vatican II. All of the essays contain extensive references, including to the relevant Latin texts. The distinctive merit of the book is that it allows both beginner and accomplished scholar to form a vision of the whole of the *Summa*'s Second Part and also to inspect particular sections in the light of recent Thomistic scholarship. In one volume, it treats both the philosophical concepts at work in the ethics of St. Thomas and the theological purpose and depth of his doctrine. Whereas most modern ethicists single out one note—the sentiments or rationality; utility or duty; acts or rules; emotions or cognitions; logic or intuition—the philosophy of Aquinas plays all of these notes in several chords and even in several keys. Moreover, his ethics aspires to a truth that is valid for all peoples, Muslim as well as Christian, Jew as well as Greek, skeptic as well as believer. The global reach of Aquinas has gained a new potency in a global age.

— Grattan Brown



A SCIENTIFIC THEOLOGY, VOLUME 1: NATURE. By ALISTER E. MCGRATH. *Eerdmans. 325 pp. $40.*

This is the first of three volumes exploring the possibility of a "scientific theology." Such a theology, "nourished and governed at all points by Holy Scripture," adopts the natural sciences as *ancilla theologiae*, seeking "a

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mutual cross-fertilization of ideas and approaches." This dialogue has a "ministerial function." Avoiding modernism, it exceeds the modest claims of Karl Barth, liberating "traditional credal Christian orthodoxy" from its "ghetto mentality" by identifying "'points of contact' for the gospel within the created order." In support of this approach, McGrath argues that the concept of nature, "shaped by socially mediated factors," has, like rationality, "no self-evidently correct definition." More sweepingly, McGrath claims, following Derrida, to deconstruct the very concept of nature, revealing its essential subjectivity; this argument awaits clarification in the second volume, which will deal with issues of realism. While affirming ontological dualism—God and nature are "wholly other"—McGrath nevertheless repudiates "radical [epistemic] dualism," arguing that "the truth, goodness, and beauty of God . . . [can] be discerned within the natural order, in consequence of that order having been established by God." On this basis, McGrath identifies three points of possible contact between science and Christian theology. First, the "significant connection between the world as we observe it and the nature of God"; in McGrath's view, the explanatory powers of the natural sciences depend upon the assumption that "the created order is held to be the work of the Christian God." Second, as-yet-unexplored theological implications for doctrines of evil and sin of certain recent scientific hypotheses, such as chaos theory. Third, and most important, the "profound theological implications" of the concept of a "law of nature," which is itself based on the fact that both science and theology presume "a fundamental convergence of truth and beauty." While McGrath's proposals are often informative and insightful, much remains to be discussed and developed in the remaining volumes of his ambitious project.

— Richard Fern

A JEW IN AMERICA: MY LIFE AND A PEOPLE'S STRUGGLE FOR IDENTITY. By ARTHUR HERTZBERG. *HarperSanFrancisco. 463 pp. $32.95.*

Memoirs are, almost by definition, self-referential, although not all are so self-promotional. Rabbi Hertzberg has been an intermittently prominent figure on the American Jewish scene, noted especially for his "dovish" views on the Middle East, and he wrote an important book, *The French Enlightenment and the Jews*, documenting the perduring anti-Semitism among champions of modernity. As he tells it, his life has been largely derived from the lives of the politically powerful with whom he has come in contact over years of gravitating around what he calls "the action." In a career of boldly "speaking truth to power," he has met many important people in the U.S. and Israel. His and the Jewish people's "struggle for identity" are oddly conflated, finding final resolution in an insight drawn from Ralph Waldo Emerson, of all people, on the connection between individualism and community. Along the way he provides inside stories and settles personal scores that will be of interest to readers who are attentive to intra-Jewish conflicts.

DYNAMICS OF WORLD HISTORY. By CHRISTOPHER DAWSON. *ISI. 500 pp. $16.95 paper.*

Dawson, who died in 1970, was once hailed as a giant among historians and philosophers of history, but is almost forgotten today. This book, edited by John J. Mulloy, is part of a small but promising Dawson revival. Mulloy has put together essays and excerpts from Dawson's many books, dating from the 1920s and covering subjects such as the differences between culture and civilization, providential purpose in history, and perennial disputes over defining the task of the historian. On questions related to grand patterns in history, Dawson was in constant argument with figures such as Spengler and Toynbee, always insisting on the primacy of religion in defining culture and of culture in defining civilization. It is a form of historical thinking that many may dismiss as dated but is perhaps irrepressible, and surfaces today in studies such as Samuel Huntington's *Clash of Civilizations*. An unabashedly Catholic thinker, Christopher Dawson proposed bold answers to the question of "the meaning of history" and deserves a permanent place in our continuing arguments over a subject that will likely not lend itself to resolution before the End Time.

GOD AT THE RITZ: ATTRACTION TO INFINITY. By LORENZO ALBACETE. *Crossroad. 203 pp. $19.95.*

While advising on a film about John Paul II, the eccentrically brilliant Monsignor Albacete stayed at the Ritz in Hollywood and was accosted by all kinds of people who asked, on location and at poolside and everywhere else, incisive questions about God, religion, evil, hope, and other matters that really matter. This little book joins their questions and his responses in a winsome apologetic that might be categorized as pre-evangelization. However categorized, it is thinking of a high order set forth with literary

The Jesus Rule
by William Whallon. "Between ethics and miracles the church made the wrong choice." The Sermon on the Mount as the guidebook against terrorism. It is tough love: "turn the other cheek sometimes." Ten commandments for our day and a universalist creed. 271p. $9 to First Things readers. →Bennett & Kitchel, Box 4422, East Lansing, MI 48826

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grace and humor, and all in the service of understanding the irrepressible human aspiration toward the infinite.

THE FALL OF BERLIN 1945. By ANTONY BEEVOR. *Viking. 489 pp. $29.95.*

A carefully researched and fast-paced account of Berlin and the Nazi leadership from Christmas 1944 to the *Führerdämmerung* and its immediate aftermath. Military buffs will appreciate the detailed attention to the inner workings of the Red Army and the desperate flounderings of what was left of the Reich's war machine, and will argue over Beevor's generally negative assessment of Eisenhower's role in bringing the war to an end. Russian revenge, looting, and systematic rape provide yet another chapter in the annals of human animality.

PRIESTLY IDENTITY: A STUDY IN THE THEOLOGY OF PRIESTHOOD. By THOMAS J. MCGOVERN. *Four Courts Press (Portland, Oregon). 320 pp. $19.95 paper.*

Who does the priest understand himself to be? There are innumerable ways of addressing that question, but Father McGovern insists that the identity of the priest is given, above all, by theology. And the division of theology most pertinent to the one who acts *in persona Christi* is Christology. Psychological, professional, and ministerial factors are not neglected, but McGovern draws chiefly on the Church's theological tradition, showing how it is not an imposition or merely one interpretation of priesthood among others but provides the foundational truth claims without which priesthood finally makes no sense. The book is a refreshing review, amply documented by magisterial teaching and historical reference, of what it means to be a priest.

A SHORT HISTORY OF THE WORLD. By GEOFFREY BLAINEY. *Ivan R. Dee. 463 pp. $27.50.*

From what is ordinarily called prehistory to almost the present, a distinguished Australian historian tells the story of the world with erudition and no little panache. The pace is uneven, interrupted with frequent excursuses and meditations on points of interest to him, and of likely interest to most readers, especially points pertaining to the "feel" of everyday life in remote times and places. Major attention is paid the influence of religions, and the author has a salutary respect for the surprising and contingent, a respect which precludes grand arguments about historical causality.

THE CHRISTIAN FAITH IN THE DOCTRINAL DOCUMENTS OF THE CATHOLIC CHURCH. Edited by J. NEUNER and J. DUPUIS. *Alba House. 1,092 pp. $24.95.*

The seventh revised and enlarged edition of an invaluable work. While scholarly libraries will have the Denzinger-Schönmetzer *Enchiridion*, the present volume is recommended to anyone with a deep interest in what the Catholic Church has taught and teaches today. One may well dispute over what has been left out and what included on this subject or that, but the editors succeed in packing into a thousand pages an astonishing number of texts from the early fathers and councils up to the present, and the publisher is to be commended for making the book available at such a reasonable price.

A HISTORY OF LUTHERANISM. By ERIC W. GRITSCH. *Fortress. 346 pp. $29 paper.*

A fast-paced and reliable guided tour of the Lutheran movement over almost five hundred years, with the accent on the normative status of the theology that launched it in the first place. Recognizing that Lutheranism—or at least those parts of Lutheranism engaged with the larger Christian movement—is in danger of forgetting what it is supposed to be, Gritsch urges going back, or as he prefers, "forward," to Luther.

CREATIVE FIDELITY. By GABRIEL MARCEL. *Fordham University Press. 296 pp. $20 paper.*

A French Catholic philosopher of very considerable influence in the middle of the last century, Marcel was usually called a Christian existentialist, although he thought of himself as a neo-Socratic engaged in an open-ended and dialogical path toward the ever elusive truth. "Creative Fidelity," which is also the title of an essay in this book (newly and pleasantly translated by Robert Rosthal), captures nicely Marcel's understanding of authentically Catholic inquiry, as does another essay in which, following Chesterton, Marcel pits orthodoxy against conformism. Those who read Marcel many years ago will be struck by how like a fresh breeze his thought seems now, and those coming to him for the first time are to be envied.

THE FEAST OF FRIENDSHIP. By PAUL D. O'CALLAGHAN. *Eighth Day. 150 pp. $13.95 paper.*

Friendship and its connections with *agape* and *eros* is a perennial subject and many Christian worthies have explored its inexhaustible mysteries. To modern writers on the subject, such as C. S. Lewis and Gilbert Meilaender, add the name of Paul O'Callaghan, who brings a distinctively Orthodox perspective to bear on the ways in which earthly friendships anticipate our inclusion in the Divine friendship that is the Feast of the Lamb.

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THE PUBLIC SQUARE

A Continuing Survey of Religion and Public Life

Richard John Neuhaus

The Bishops in Charge

"At last." I breathed a sigh of gratitude upon my first reading of Bishop Wilton Gregory's presidential address at the November meeting of the bishops conference. At last they are no longer jumping through media hoops and giving the impression of scurrying about like scared executives in search of a public relations fix. At the June meeting in Dallas they were perceived by many as—in the memorable phrase of Bishop Fabian Bruskewitz of Lincoln, Nebraska—"this hapless bench of bishops." Gregory's address set a different tone. Haplessness was displaced by hopefulness, touched by a note of determination and even defiance. We are bishops of the Catholic Church, he told his brothers, and the events of the past year have called us back to the responsibilities that attend that dignity and responsibility.

He took his text from Isaiah: "Comfort, give comfort to my people, says your God." To be comforted does not mean to be at ease, Gregory said, but is God's gift of "a life of complete and active engagement with God in Jesus Christ." "We bishops, by the grace of our sacramental consecration, are the authentic bearers of [Christ's] mission. . . . Like the apostles whom we succeed, we have been sent to announce God's word." After a year of frequent floundering, of embarrassed pandering, and of pathetic excuse-making, Gregory's message was that the bishops are prepared to reassume their office, recommit themselves to their tasks, and speak again in the distinctive language of the Church. At last.

There was much else that was heartening in the presidential address that set the tone for the meeting. Gregory underscored that the threefold office of the bishop is to teach, to sanctify, and to govern, and none of those responsibilities can be shirked or farmed out to others. The Church is not defined by the story line of the culture; the culture is defined by the story borne by the Church. "Only the light of Christ," Gregory declared, "can fully reveal the truth of the world in which we live." He noted that the June meeting had been totally given over to the sex abuse scandals. "We put in place measures to ensure the greatest protection of our children in the Church," he said, and he expressed confidence that the revisions of those measures proposed by Rome and to be adopted by the November meeting would further strengthen what Dallas did.

At the same time, Gregory made clear that the mission of the Church and the attention of the bishops cannot be, and will not be, monopolized by sex abuse and scandals. He spoke of the other items of business before the meeting: a statement on violence in the home, a joint appeal with the Mexican bishops on the treatment of migrants, a declaration on overcoming poverty, and a strong affirmation of the Church's defense of the unborn on the thirtieth anniversary of the infamous *Roe v. Wade* decision. He didn't quite put it this way, but he seemed to be saying to the culture, and to the media in particular, "We appreciate your concern, but the Catholic Church doesn't need to take lessons from you on caring about the vulnerable and marginal." One might dispute some of the policy proposals adopted by the bishops, but Gregory struck a refreshing note of candor and even feistiness that we haven't heard in a long time. At last.

"There are those outside the Church who are hostile to the very principles and teachings that the Church espouses," he asserted, "and have chosen this moment to advance the acceptance of practices and ways of life that the Church cannot and will never condone." He did not explicitly mention homosexuality, but one wonders what else might be meant by "practices and ways of life." Before Dallas,

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Gregory was outspoken in his worry about the association between homosexuality and the priesthood. It appears he may again dare to speak the name of an undeniable factor in the sins and crimes that have come to light this year. It is known that Rome is preparing a document that will underscore the necessity of, among other things, not admitting homosexuals to holy orders. In any event, the reference to practices and ways of life that the Church cannot and will never condone met with strong approval from the assembled bishops. At last.

Aware that many priests have been demoralized or outraged, or both, by the way Dallas undermined the relationship of trust between priest and bishop, Gregory went out of his way to affirm "the overwhelming majority of priests [who] are faithful servants of the Lord." "*God bless our priests!*" he declared, "*They have surely blessed us!*" He also said, "Priests today too often are being unfairly judged by the misdeeds of other priests, men often long departed from ministry or even deceased." This was a carefully calibrated address, and one may infer from the second part of that statement a criticism of bishops who have promiscuously publicized confidential files about priests in order to demonstrate their achievement of the episcopal virtue du jour, "transparency." Never mind whether accusations are substantiated or even credible: priestly vocations and the reputations of priests honorably retired or deceased are a small price to pray for a bishop to be media-certified as tough on sexual abuse. At least I hope Bishop Gregory intended a criticism of bishops who seem to take that view. If so, one says again: At last.

The chief business of the November meeting, it is fair to say, was to defend and reassert the Catholic teaching that the Church is, by divine constitution, governed by bishops. "Sadly," Bishop Gregory observed, "even among the baptized there are those at extremes within the Church who have chosen to exploit the vulnerability of the bishops in this moment to advance their own agendas. One cannot fail to hear in the distance—and sometimes very nearby—the call of the false prophet, 'Let us strike the shepherd and scatter the flock.' We bishops need to recognize this call and to name it clearly for what it is." At their Washington meeting in November, the bishops recognized and named the challenge to episcopal governance. To that, too, one wants to say, At last.

Allocating Shares in the Mission

And yet, in their actions, as well as in Bishop Gregory's presidential address, there is evidence that the bishops may not fully understand the sources of the challenge to their authority. Not only "at extremes within the Church," and not only at one extreme of right or left, there is the belief that somewhere near the heart of the evils exposed in the last year is the corruption called clericalism, with its attendant vices of clubbiness, secretiveness, and obsession with power. Clericalism is the policy and habit of maintaining or increasing the power of a religious hierarchy. Clericalism is about power, and therefore elicits aspirations to countervailing power. Clericalism is the opposite of priestly and episcopal grace, which is the grace of service. Clericalism is deaf to the words of the one who said that the greatest among you must be the servant of all, and offered himself as one who came "not to be served but to serve."

This is not to suggest that bishops do not work very hard at what they believe to be serving the People of God. I have no doubt that they do. The critical misstep of clericalism is to think that the Church and her mission belong mainly, perhaps even exclusively, to the clergy, and especially to the bishops. Clericalism is the operative assumption that the clergy are the Church rather than the less than .01 percent of her members who are ordained to serve the others by helping them to serve the Lord. Episcopal and priestly servanthood invites the response of servanthood; episcopal and priestly clericalism provokes the reaction of anticlericalism.

Speaking of the Church's mission, Bishop Gregory says, "We bishops, by the grace of our sacramental consecration, are the authentic bearers of that mission and the message it contains." To be sure. But he might have added that all Christians, by the grace of Baptism, are also authentic bearers of that mission and message. On the troubles of the past year he says, "Moreover, we bishops ourselves have not been immune from disagreement and discord on this matter. . . . Whatever the differences we have experienced with one another this year, it is essential to our life in Christ that we address them appropriately and reconcile fully with one another." To be sure, discord is not good, but one might suggest that honest disagreement among bishops is a healthy thing, not least in holding negligent and miscreant brothers to account. The needed thing is bishops who are teachers able to teach in their own voice, rather than being anonymous components of the bureaucratic collective that is the episcopal conference. Collegiality should not mean conformity. Nor should cooperation be confused with clubbability.

Bishop Gregory says, "The mission given us by the Lord is one in which all members of the Church have a proper share. That is especially true of those who are related to us in ministry by Sacred Ordination. It is also true of the religious and laity. When I think of

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those in my own diocese who assist me in fulfilling the mission that the Lord has given me, my heart's eye turns toward all of my brother priests." Bishops should, he says, "give both the religious and laity their rightful place and share in the mission of the Church. He goes on to describe how lay people render great service in various church offices and councils, saying, "The opportunities for the laity to assist us are great and we need to seize upon them in order to fulfill effectively the mission the Lord has given us."

One understands that Bishop Gregory is intending to reaffirm the governing authority of the bishops, but one may be permitted to suggest that he frames that authority in a way that plays into the hands of those who are challenging it. Voice of the Faithful and other activists agitate for "power sharing," which is to say they agitate for power. They agitate for power on the clericalist assumption that the Church and her mission belongs to the bishops. The disagreement between them and the bishops is over the extent of "their rightful place and share" in that mission. Bishop Gregory says the bishops "give" the laity their part in the mission, and some of the laity demand that they be given more. He says the laity have a "rightful" part, and some of the laity demand an expansion of their rights. Such are the confusions generated by conceiving the Church along clericalist lines. Similarly with priests. It is understood that bishops possess the fullness of priestly ordination, but if priests are only there to "assist" the bishop in his ministry, it encourages the mindset that successful assistants should aim at becoming bosses. That is to say, they should become bishops.

Most problematic is the implication that lay people find "their rightful place and share in the mission of the Church" by gaining positions of influence in ecclesiastical structures, or by being given a part of the bishop's job. The Second Vatican Council underscores that the mission of the Church is the mission of Christ and belongs to all the faithful, for all participate in the mission of Christ. To be a lay person is the typical and ordinary way of participating in that mission. The vocation of the laity is not realized by obtaining a share of the vocation of the clergy, the Council insists, but by advancing Christ's mission in the world. Not by being "Father's little helper" (or the Bishop's little helper) but by fulfilling their tasks in the temporal order do lay people respond to the call to holiness, which is a universal call. The place and share of bishops in the mission of the Church is indispensable. They are, the Council says, "teachers of doctrine, priests of sacred worship, and officers of good order." That is the threefold responsibility, and the last refers to governance. Good order is assured when each member of the body is rightly ordered to his or her calling in the body, of which all are equally part.

"For you I am a bishop, with you I am a brother," said St. Augustine. Some of our brothers who are bishops were not doing their job over a long period of time. Had they been doing their job, we would not have the present crisis. The remedy is for them to be more the bishops they were ordained to be, not less. The remedy is not in sharing their authority but in exercising their authority. Their first responsibility is to teach. In April's historic meeting with the Pope in response to the crisis, the Holy Father accented the importance of "total commitment" to the Church's teaching on human sexuality. In living in fidelity to that teaching and their sacred vows, he said, the laity need the example of bishops and priests who do the same.

Perhaps that lesson has been learned through the shame and sadness of the past year, although it must be said that there has been slight public reference by bishops to fidelity in teaching and life. Perhaps because insisting upon fidelity on the part of bishops and priests would be controversial, possibly resulting in disagreement and even "discord." Perhaps because bishops charged with oversight are not aware of the many clerical infidelities, although that seems improbable. Or perhaps because it is thought that, if such infidelities pose no threat to minors and therefore pose no further threat to the Church's reputation or purse, they pose no problem. It would be pleasant to say that the last possibility is not plausible.

Almost Business As Usual

The message of the November meeting was that the bishops are in charge. There was even an air of going about business as usual: receiving committee reports, passing resolutions on this and that. When people make a point of insisting that they're in charge, they're usually not. But, this being the Catholic Church, there is nobody else to be in charge. No doubt Our Lord will one day explain why he set things up this way. Perhaps to test our faith. Although some are outstanding in competence, holiness, and apostolic zeal, the Church, all things considered, deserves a better set of bishops. But then Our Lord deserves a better Church, meaning all of us. He got us, and we got one another. The problem, if that is what it is, began when he decided not to entrust his mission to the angels.

The bishops adopted "A Statement of Episcopal Commitment." There has been much criticism that the bishops have had a great deal to say about errant priests but nothing about bishops who allowed, or were complicit in, wrongdoing. The statement, it is said, "manifests our accountability to God, to God's people, and to one another." "Participating together in the college of bishops, we are responsible to act in a

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manner that reflects both effective and affective collegiality, including fraternal support, fraternal challenge, and fraternal correction." At last, one might say. But the particulars of the statement are pretty limp. If an allegation of sexual abuse is made against a bishop, the Metropolitan bishop will be informed. If the allegation is against the Metropolitan, the bishop next in seniority will be informed. That's it. Nothing is said about what will be done. It does not even say that the papal nuncio will be informed. "You say Bishop Wasisname is accused of fiddling a teenage boy? Thanks for telling me." That's that. Some people may be excused for thinking this falls somewhat short of manifesting "accountability to God, to God's people, and to one another." The statement does not even touch on the main concern, which is not bishops guilty of sexual abuse but bishops guilty of facilitating sexual abusers. Of course the episcopal conference does not have direct authority over bishops who are heads of their local churches—and a good thing, too—but it might have been better not to adopt a statement on episcopal accountability at all than to adopt a statement so vacuous as this.

The bishops also adopted an eleven-page statement, "When I Call for Help: A Pastoral Response to Domestic Violence Against Women." It is, with some updating, a recycling of a statement on that subject of ten years ago, and it may be welcomed by some advocacy groups if, at this point in history, they still think it helpful to invoke the moral authority of the bishops conference. Then there is the "Statement on Iraq." The Catholic bishops of the country helpfully alert President Bush to the fact that war is attended by serious risks. "Thanks, I needed that," one does not imagine him saying. It is not as bad a statement as the voluble Bishop Thomas Gumbleton, auxiliary of Detroit, and other pacifists wanted. It is mainly a rehearsal of the bishops' concerns, anxieties, fears, etc., joined to a reflection on the pertinence of traditional just war doctrine. (For a clarification of aspects of the doctrine that the statement neglects, see George Weigel's essay in this issue.) "There are no easy answers," the bishops say. They acknowledge that they do not know all the facts pertinent to decision-making (they have been very busy with other matters this past year), but they pray that leaders "will find the will and the ways to step back from the brink of war." Importantly, they do not downplay the threat of terrorism, they do not blame America or engage in "root causes" blather, and they do recognize that the final decisions rightly belong to civil authority. Given the bishops' track record on questions of war and peace—if the U.S. had accepted their counsel during the Cold War, we would likely still be fighting it or its outcome might have gone the other way—the statement is more judicious than might have been expected.

Much more useful is "A Place at the Table," a long statement on the Catholic recommitment to overcome poverty, both domestic and global. It engages in serious moral and theological reflection, underscoring both the opportunities and threats posed by globalization, and is refreshing in its proposal of a non-statist understanding of economics. The economic "table" mentioned in the title rests, the statement says, on four legs: 1) what families and individuals can do, 2) what community and religious institutions can do, 3) what the private sector [the free market] can do, and 4) what the government can do. The chief role of the government is to secure the legal and policy context within which the first three players can do their job. For the first time in a major statement by the episcopal conference, it appears that the arguments and conceptualizations advanced by the 1991 encyclical *Centesimus Annus* have been seriously engaged. One might raise questions about this or that, but, all in all, "A Place at the Table" indicates a new and more promising direction in the conference's pronouncements on political economy and moral discernment.

Welcome also is "A Matter of the Heart," a strong statement occasioned by the thirtieth anniversary of *Roe v. Wade*, January 22, 2003. The statement clearly reaffirms Catholic teaching, and notes the ways in which, despite entrenched opposition, "the pro-life movement has grown year by year, in numbers and in vitality." The infamous Supreme Court ruling has resulted in "forty million lives destroyed" and in "a long trail of broken hearts," especially the broken hearts of women. But the statement notes that fewer abortions are being done each year, that more Americans now identify themselves as pro-life than as pro-choice, that there are a growing number of ministries helping women with crisis pregnancies, and that most state legislatures have enacted measures to protect the unborn. (Among hopeful signs, the bishops do not mention the pro-life position of the Bush Administration or the increase in pro-life legislators elected the week before their meeting. Perhaps such mention was thought too partisan.) "Above all," the statement notes, "the pro-life movement is brimming with the vibrancy of youth." The most pro-life part of the population is people under thirty, matched only by those over sixty-five. "We will speak out," the bishops declare, "on behalf of the sanctity of each and every human life wherever it is threatened, from conception to natural death, and we urge all people of good will to do likewise." The last sentence is short and to the point: "*Roe v. Wade* must be reversed."

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Moreover, I am glad to say that I was wrong last month when I suggested that the proposal for a plenary council of the Church in the U.S. would probably get short shrift. It didn't get a lot of attention, but it appears that the proposal is not dead. A discussion of the idea is on the agenda for the semi-annual meeting next spring. Bishops who worry that such a council would be "hijacked" because canon law requires the participation of many non-bishops are floating an alternative proposal: asking the Pope to convene a special Synod of Bishops just for the bishops of the U.S. Whether a council or a synod or a series of regional synods leading up to a council is the best way to go, it is imperative that the bishops find a way to solemnly and decisively receive the teaching of the Second Vatican Council as authoritatively interpreted by the Magisterium, to examine and act upon the corruptions of leadership now so flagrantly on public display, and, at last, to assume their full responsibility in leading toward "a holier episcopate, a holier priesthood, and a holier Church."

The Price That Has Been Paid

And now I have not said much about the charter and revised norms dealing with sexual abuse. That is because there is not much to say. I have read the documents and the reams of commentary on the documents, but everything depends on what happens now. Rome reined in the panicked policies of the Dallas meeting, which is what some bishops were counting on and why they voted for those policies even as they admitted they were deeply flawed. For instance, the definition of sexual abuse is more precise. The Dallas definition (borrowed from the Canadian bishops) was so elastic that almost any adult could be found guilty of sex abuse. The new rules also return to the old-fashioned idea that even priests should not be pronounced guilty—should not have their life's work shattered and their reputations trashed—without due process. Provisions for transferring priests from one jurisdiction to another are tightened, and it is clarified that the rules apply also to priests in religious orders. Contrary to some press reports, all credible accusations will still have to be reported according to civil law. Statutes of limitations in canon law may even provide some opening toward taking into account the possibility of repentance and transformation of life, a possibility that the Pope at that April meeting said must never be forgotten, but that the bishops, knowing it is public relations poison, have done their best to forget.

Will the charter and the revised norms work? Nobody can know. If by "work" one means that there will be nobody in the priesthood or any other ministry of the Church who poses a threat to children, I expect it will work as well as is humanly possible. If by "work" one means that this entire mess can now be put behind us, there are months and probably years of lawsuits and trials to come, and we cannot discount the possibility of further revelations of past misdeeds. If by "work" one means that all we have been through will result in, as the Holy Father put it in April, "a holier episcopate, a holier priesthood, and a holier Church," that is the subject of earnest prayer. Keep in mind also that the revised rules are riddled with footnoted references to provisions of canon law, some of them quite obscure. Keep in mind above all that—apart from judgments in civil and criminal courts—the crucial decisions will still be made by bishops, whether here or in Rome. For those who find that not entirely reassuring, see above on the perduring puzzlement over why Christ constituted his Church as he did.

It can be argued that the bishops have, all in all, successfully weathered the troubles of 2002. The Catholic scandals are off the front pages and the evening news, and, although there was much negative commentary, the revisions of Dallas adopted at the November meeting have not reignited the media firestorm of the past year. It is hard to know how the storm could be reignited, although the possibility cannot be excluded. There is no doubt that the bishops are very serious about preventing the sexual abuse of minors, although it is possible a few bishops still do not get it. The public perception would seem to be that the bishops, after a long period of negligence and a few instances of complicity, are now back on the job. If Dallas and subsequent actions have done that, it is no little achievement.

The cost has been of monumental proportions. It will take years, and perhaps decades, for the bishops and, therefore, the Catholic Church to recover the moral credibility that has been lost. The past year has given long-lasting ammunition to the forces of anti-Catholicism in American life. Not so much among the Catholic faithful and people favorably disposed to the Church, but among the general public the positions and pronouncements of bishops will for years to come be met with ribald comments about clerics and little boys. The inestimable cost includes the historic failure of the bishops at Dallas to speak the gospel of Jesus Christ as it relates to sin and grace, repentance and restoration. Not perhaps for the general public, but for those who care about the Church's witness and for those who write the histories of this period, the indelibly imprinted image of Dallas will be that of panicked executives abasing themselves before media inquisitors in order to save their skins.

Closely related to that, it will take years or decades to restore the former level of trust between priests and

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bishops. Priests will not soon forget that, come the crunch, too many bishops were all too ready to offer them, their vocations and their reputations, to appease the appetite of the public relations monster. Pro-lifers will not forget, nor should they forget, that, come the crunch, the bishops violated their own policies and solemn pronouncements by appointing notorious proponents of abortion to positions of oversight in the Church, as witness the National Review Board. And it may be many decades, if ever, before the respect of civil authorities for the Church's right to govern itself (*libertas ecclesiae*) will be restored. In that connection, a little but telling incident: a bishop and a priest met about an accusation that had been made, and the bishop explained that the diocesan lawyer was present at the meeting "in order to protect the confidentiality of our conversation." It is assumed that the civil authorities will show greater respect for a lawyer than for a bishop, for the rights of the legal profession than for the rights of the Church. Two years ago, such a thing was nearly inconceivable. We have hardly begun to appreciate the cost exacted by the Long Lent of 2002.

But as I wrote last month, there is undoubtedly a new sense of gravity and a widely shared determination to understand what went wrong and how to set it right, or at least to make sure it doesn't happen again. Laurie Goodstein of the *New York Times* has been a generally fair and perceptive reporter of the troubles. Her story after the November meeting is titled "Tradition as Healer," and she notes that the cause of those who have agitated for married clergy, women priests, gays in ministry, the approval of contraception, and other changes has been severely set back. The new mood of the bishops, she says, is reflected in the words of Allen Vigneron, auxiliary of Detroit: "These are things in the Church that are not policies. They are doctrines, and they aren't ever going to be negotiable. For us to explain ourselves as a Church, we need to say that." Goodstein writes: "A vast majority of bishops are company men, appointed by and loyal to Pope John Paul II. At the Washington meeting, they made it clear that those who were looking to them for innovation would be disappointed." She concludes her account with this: "There is one antidote to the abuse crisis, the Rev. Richard John Neuhaus said at a recent forum. That, he said, is 'Fidelity, fidelity, fidelity.'"

Ms. Goodstein got an important part of the story right. The gravity that I mentioned is the order of the day. For most, if not all, of the bishops, the silly season is over, the era of wink and nudge is definitively past, the bishops are back in charge. But, *pace* Ms. Goodstein, to be loyal to John Paul II is more than a matter of being a company man, and fidelity is about much more than toeing the line. Fidelity is the high adventure of following John Paul in effectively teaching the vibrant orthodoxy of the radical call to holiness. Fidelity requires change and, yes, innovation in obedience to the truth of the faith. Fidelity is the excitement of discovering and living the living tradition of the saints, past and present. Fidelity is the surrender of self to Christ and his Church. Fidelity is the courage to be different, to lovingly engage the culture and, when necessary, to be countercultural and even *contra mundum*. Fidelity is the alternative to the dreary conformism that produced this season of outrage and shame. Fidelity is conversion.

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JACQUES MARITAIN AND VATICAN COUNCIL II

When, many years ago, I first read Jacques Maritain's *The Peasant of the Garonne*, I shared the general view that it was little more than the reactionary ramblings of a disgruntled old man. Now Ralph McInerny's admirable and deservedly admiring biography of Maritain, *The Very Rich Hours of Jacques Maritain: A Spiritual Life* (forthcoming from Notre Dame), has prompted me to go back and read the book again. As with Mark Twain's surprise when he reached his twenties at how, since he was a teenager, his father had become ever so much smarter, so I have changed my view of *The Peasant of the Garonne*. It *is* a reactionary book in large part, and it does ramble, and there is no doubt that Maritain was deeply disappointed and in many ways disgruntled, but I was surprised by wisdom I had not appreciated before, and by a prescience that is nothing short of stunning.

The Peasant was written in the immediate aftermath of the Second Vatican Council, within a few months of its formal closing in December 1965. Maritain was then eighty-five years old, and long celebrated, along with Étienne Gilson, as the architect of a Thomistic revival that was thought to hold the promise of a veritable golden age of Catholic intellectual vitality. Heaped with honors in Europe and America, Maritain was viewed as the champion of that *aggiornamento*—philosophical, theological, and pastoral—to which the Council aspired. Then came the publication of *The Peasant*. Some on the right were pleased to see a famous "man of the left" finally coming to his senses. From the left, there was a storm of reaction against Maritain's putatively reactionary turn. He was in the

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judgment of some simply a traitor, while others, in a mix of charity and condescension, sadly shook their heads over an old man who had lost his grip. A reviewer in the *New York Times* said of the book, "It appears to call a halt to the modernist revolution that Maritain himself did much to inspire." It was thought to be a pity that such a distinguished thinker, such a brilliant life, should end like this.

In his biography, McInerny begins by acknowledging that *The Peasant* is Maritain's "most controversial" book, but ends up declaring it a "great book," and that for several reasons. What Maritain is attacking he frankly calls "neo-modernism." At the time, and still to this day, the claim was made that the putative errors of "modernism" condemned in 1907 by Pius X had, under papal oppression, continued in an underground existence until they at long last came out into the open at Vatican II, where they were vindicated by the call for *aggiornamento* and the opening of windows to the world. Let it be admitted that there are traditionalist Catholics who, because they are traditionalists, cannot say that the Council was a mistake, but who are inclined to agree with the progressivist reading of the Council—although they draw the conclusion, expressed only sotto voce, that the Council was, all in all, a mistake. McInerny and Maritain are not among them. McInerny writes, "There is no question, of course, of [Maritain's] rejecting or questioning any of the sixteen documents which make up the conciliar teaching. But he saw—better, he recognized, having seen it before—the spirit animating those who were trying to turn the Council to their own ends."

A Measure of Ambivalence

There is, I think, a measure of ambivalence in Maritain's view of the Council. There is no question of his obedience to the Magisterium—and in this connection *The Peasant* includes moving and insightful reflections on the "personality" of the Church which has her own memory and consciousness. Yet, while the Council cannot teach error, it was not as effective as it might have been in countering those who do. One detects a certain chagrin on Maritain's part that it falls to him to elucidate, albeit in deference to the Council fathers, the true meaning of the Council against those who would, for their own purposes, exploit real or manufactured ambiguities in its teaching. McInerny writes:

> In *The Peasant of the Garonne*, as throughout his career, it is clear that the pursuit of truth and clarity is not at the service merely of winning an argument or negatively appraising other efforts. As in few other thinkers, we are always conscious that a person is doing the thinking and that this person aspires to more than the perfection of the mind. From first to last, Maritain's philosophizing is embedded in the contemplative life. He calls the *Peasant* an old man's book, and it is true that in it he is a bit garrulous and repetitive, but it is a great book, the first to see and warn of what enormities would be perpetrated in the name of Vatican II.

While I agree with that assessment, Maritain's words of reproach and warning with respect to the misinterpretations of the Council should not obscure his genuine enthusiasm for the Council's teaching or his appreciation of the problems that teaching was intended to remedy. Maritain begins from the conventional premise that the Council "was in response to a providential design; for the historic task, the immense renewal that it had to bring about, had to do with progress in evangelical awareness and attitudes of the heart rather than with defining dogmas." (One notes parenthetically that, while it is commonly said that Vatican II was not a dogmatic or doctrinal Council, there are those dogmatic constitutions that clearly represent developments of doctrine.) But I think there is nothing disingenuous in Maritain's affirmation of what the Council achieved. He rejoices in the Council's bold affirmation of human freedom, including political and religious freedom. He cites the 1964 statement of Paul VI that the Pope "neither wants to nor ought to exercise henceforth any power other than that of his spiritual keys."

The Integrity of the Human

Avery Cardinal Dulles speaks of the "prophetic humanism" of the Council, especially as its teachings have been so vigorously advanced by the pontificate of John Paul II. Maritain notes Paul VI's final address to the Council on December 7, 1965, in which he summed up its teaching in terms of the defense of the *hominem integrum*—the integrity of the human. Maritain writes: "Here is accomplished the great reversal of virtue of which it is no longer the human which takes charge of defending the divine, but the divine which offers itself to defend the human (if the latter does not refuse the aid offered)." In its centuries of entanglement with earthly powers, and up through the providential loss of the papal states, the Church had sought alliances for the defense of what were called "the things of God." Now at Vatican II, in a daring mix of confidence and humility, the Church

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declares her mission to be the defense of the things of man. As Maritain was keenly aware, this entailed a great risk, but it was a risk of faith. Everything depends upon our understanding of man, of anthropology, of what constitutes the *hominem integrum*. As John Paul II has said repeatedly, "Jesus Christ is the answer to which every human life is the question." But all depends on our understanding the question that is our life.

Maritain welcomes also the Council's opening to other Christians and other religions, while at the same time he cautions against superficial dialogues that are not dialogues in the service of the eternal truths borne by the Catholic Church. *The Peasant* includes an extended—and, I have to admit, somewhat unsatisfactory—reflection on how all people are "potential" members of the Church, a reflection reminiscent of Karl Rahner's writing about "anonymous Christians," although Rahner is not mentioned. Less ambiguous, indeed clear and wholehearted, is Maritain's response to the Council's rejection of the notion that the lay state is in some sense spiritually "imperfect" in relation to the greater perfection of the priestly and, especially, the religious life. He returns again and again to the point that Our Lord's command to be "perfect as your heavenly Father is perfect" applies to all, thus underscoring the universal call to holiness. Not for nothing is McInerny's subtitle "A Spiritual Life." For the "little community" of Jacques, his wife Raissa, and her sister Vera, the spiritual life had indisputable priority. The observation of their novelist friend Leon Bloy that finally the only sadness is not to be a saint marked the decisive turning point in their lives. They became Catholics in order to become saints.

Which brings us to the subject that occasions some of the sharpest, indeed caustic, criticisms in *The Peasant*: the effect of the Council—or, more precisely, of misrepresentations of the Council—on liturgy and piety. The Council urged that liturgy should be conscious, active, and devout, and Maritain complains that already some are forgetting the importance of devotion, and especially the highest form of devotion that is contemplation. Here again he cites Paul VI's closing address to the Council, and one suspects that Maritain is among those who view that address as a kind of anticipatory correction of misunderstandings of the Council, both current and foreseen. According to Maritain, the Council statements on liturgy, and especially the Mass, in no way contradict but complement and confirm the insistence of Paul in his address that "contemplation is the most noble and the most perfect form of human activity, against which one measures, in the pyramid of human acts, the proper value of these acts, each according to its kind."

The Denial of the Transcendent

It would, I think, be fair to say that all the criticisms expressed in *The Peasant*—and it is a very critical book—can be summed up in one comprehensive criticism: namely, the denial or suppression of the transcendent—of life understood as premised upon what Maritain calls "the intuition of being" and the ordering of humanity to the Being who is God. Of all religions and philosophies, he writes, Catholicism "is most steadfast in recognizing and affirming the reality—irreducibly, splendidly, generously *in itself*—of the beings whom the Creator has made, and the transcendence of this Other, who is the Truth in person and Being itself subsisting by itself, in whom we live and move and have our being, the living God by whose strength we live, and who loves us and whom we love." Repeatedly, he returns to the biblical truth that "God is love." This he posits against those who, in his judgment, are suggesting that God is history, or God is evolutionary development, or God is cosmic fulfillment, or God is worldly effectiveness, or God is political justice, or God is psychological well-being.

Of course, Teilhard de Chardin gets a most particular drubbing in *The Peasant*. For the benefit of readers who might think that the drubbing is excessive, McInerny notes that it is difficult to overestimate his influence at the time Maritain was writing. I would suggest that Teilhard was and is representative of a denial of transcendence that is at least equally influential in our own time. The reduction of the transcendent to the immanent, of the eternal to the temporal, and of the spiritual to the material is an error endemic to the modern theological project up to the present. That is the claim vigorously advanced in a recent book, *Ascension and Ecclesia*, by the Protestant theologian Douglas Farrow. Maritain would have little patience with Farrow's relentless, almost ruthless, Barthianism, but I have no doubt that he would share my delight in Farrow's concluding and devastating observation that all such modern theologies end up in our "arriving at Damascus without incident."

On his way to Damascus, Maritain was knocked off his despairing pretensions and turned toward sainthood. And, for Maritain, the incidents keep on happening in the life of the Church. He writes:

> At a certain moment during the Mass (and that is why the "sacred silence" is then demanded), there is a kind of divine flash of lightning; at the words of the double consecration (which, from the fact that it sacramentally separates the body of the Lord from his blood, is an efficient sign of his death on the cross), Jesus makes himself

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> present on the altar in the state of a victim: suddenly and mysteriously, during a few minutes of our lives, the sacrifice in which he gave himself for us is there before us, his supreme offering of himself to the Father, the act by which he won for all men the grace of redemption.

And the incidents kept on happening in his own life of contemplation, and especially in the spiritual experiences of his beloved Raissa. McInerny rightly notes that it is not easy for us to share what sometimes seems to be Maritain's extravagant reverence for Raissa's spirituality, even to the point of attributing to her the primary inspiration for his own thought and spiritual understanding. There is, it seems to me, a similar problem in understanding Hans Urs von Balthasar's extraordinary statements about his indebtedness to Adrienne von Speyr. In both cases, there is something intensely and intimately personal that cannot readily be communicated to others. But for both men, and for both women, it is obvious that the greatest sadness would be to arrive at Damascus without incident. Which is but another way of saying that one had spent one's life on something less than becoming a saint.

In *The Peasant*, as elsewhere in his writings, Maritain traces the radically wrong philosophical turn back to Descartes, who turned almost all—I believe Maritain would say all—philosophy called modern from thinking about reality to thinking about thinking. He does temper his criticism of Descartes, and I believe appropriately so, by noting that Descartes, as a devout Catholic, did not intend all that others have done with his radical turn. The greater blame he lays at the door of the idealism entrenched by Immanuel Kant, whom he describes as "the thinking-master who still reigns over the world of professors . . . an elderly meditative clockmaker laboriously tracing, in his head and on paper, the outline of the mechanisms of a transcendental clock destined to make the stars move in their courses." He continues:

> The Judeo-Christian revelation is the strongest, the most insolently self-assured testimony rendered to the reality *in itself* of being—the being of things, and Being subsisting by itself—I say being dwelling in the glory of existence in total independence of the mind that knows it. Christianity professes with a tranquil impudence what in the philosophical vocabulary is known as *realism*. I said previously that a Christian cannot be a relativist. One must say, and this goes much further, that a Christian cannot be an idealist.

The Intuition of Being

Of course, as Maritain was well aware, the philosophical turning of the mind in upon itself, and the consequent denial of certainty about a connection between reality and rational reflection on the experience of the senses, goes back far before Kant and far before Descartes. In the sixth century B.C., thinkers such as Parmenides of Elea had apparently cut the ground out from under human knowing by demonstrating, at least to their satisfaction, that the real world is quite unlike anything knowable to us by the senses and reason, and Parmenides' disciple Zeno claimed to have shown that even the postulates of mathematics are mutually contradictory. Socrates, Plato, and, most important, Aristotle reconstituted confidence in human knowing, a confidence brought to the fullness of its explanatory force in the great achievement of Thomas. More than in his other writings, or perhaps it simply struck me more forcefully upon this rereading, *The Peasant* depicts the entirety of human reflection—in philosophy, religion, and mythology—as falling on one side or the other of the great divide that is the "intuition of being" illuminated by Thomas. Here Maritain does not hesitate to speak of "the Christian philosophy," while he recognizes the risk of "clericalizing" a way of thought and thus compromising its universality and necessary measure of independence from revealed truth as expressed in the Church's doctrine.

Toward the end of his life, it seems, Maritain is less inhibited in taking that risk. On one side of the great divide are all the idealisms, relativisms, and what even then he called "perspectivisms" produced by the epistemological obsessions of thinking about thinking, and on the other side is Christianity, and more specifically Catholicism, finding its fullest philosophical expression in Thomism, "the Christian philosophy." McInerny's study helps us understand why this should be so. Again, his subtitle is "A Spiritual Life"—not, as some might have thought more appropriate, "A Philosophical Life." For Maritain, the chief business of life was the business of the spirit, to become a saint; and to become a saint is to know the truth, and, ultimately, the Truth. The great truth of Thomas is a certain way of knowing that lower case truth and upper case Truth are inseparable. And that way of knowing is proclaimed, vindicated, and defended by Catholic Christianity. In and around the Council—but not in the Council's Spirit-guided teaching—Maritain saw the forces from the other side of the great divide infiltrating the life and thought of the Church. They were attempting, and succeeding, in using *aggiornamento* as a bridge

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across the great divide. The result was a subjection of philosophy and theology to ways of thinking marked by what Maritain described as "kneeling before the world."

The abandonment of the intuition of being, and of Being, resulted in a philosophy and theology wholly collapsed into, and captive to, the immanent. The "truth" was put into quotation marks and made, without remainder, instrumental to our human projects. This, Maritain was convinced, was in clear contradiction to the intention and the teachings of the Council. As I indicated earlier, and as is suggested by the repeated citation of Paul VI's final address to the Council, Maritain does imply, ever so gently, that the Council fathers might have more effectively prevented the misuse of *aggiornamento* to build a bridge of infiltration across the great divide, but it would seem that his understanding of ecclesial docility prevents him from saying that explicitly.

In any event, there is no hesitance or ambivalence in his affirmation of the great achievements of the Council in, inter alia, clarifying that the Church's mission is premised upon spiritual rather than worldly power, affirming her irrevocable commitment to religious and political freedom, opening herself to engagement with other Christians and other religions, renewing the call to evangelization in which all have a part, and underscoring the dignity and responsibility of the laity, with particular reference to the universal call to holiness. In these and other respects, there is no doubt that Maritain believed the Council was a great gift of the Holy Spirit. I said earlier that *The Peasant* is stunningly prescient. In substance, form, and rhetoric, there is hardly a distortion of Vatican II that has appeared in the past decades that Maritain did not see or anticipate in 1965. About one thing, however, he was not prescient. "Clearly," he wrote, "all such pieces of foolery will pass away as quickly as they have appeared." I suppose it depends on what is meant by quickly.

Whether the Council Failed

In 1975, the noted sociologist of religion Peter Berger and I convened a gathering of influential Catholic, Protestant, and Orthodox theologians and philosophers in Hartford, Connecticut, to consider the state of Christian faith and life in America. From that intense conversation came "The Hartford Appeal for Theological Affirmation," which occasioned some considerable controversy at the time. Ralph McInerny was part of the Hartford meeting and it was only after my recent rereading of *The Peasant* that I realized how much, through McInerny, Jacques Maritain was there as well. The Hartford Appeal specified a number of theological ideas that were "pervasive, false, and debilitating." The foundational error in all these ideas, Hartford said, is the denial of the transcendent. In other words, Christianity, in both its academic and popular presentation, was becoming increasingly expert in helping people get to Damascus without incident.

I cannot say for sure that Jacques Maritain would have signed the Hartford Appeal, but I would not be entirely surprised if Ralph McInerny entertained the thought that he was signing on Maritain's behalf. In any event, the "pieces of foolery" that the peasant of the Garonne thought would pass away quickly have not passed away yet, and an argument can be made that today, almost forty years later, they are more firmly entrenched.

We might well ask whether today Maritain would think, or whether we should think, that the Second Vatican Council failed. It is no secret that some have long since reached that conclusion. A Council may, of course, fail—not in its validity but in its efficacy. Of the twenty-one ecumenical councils recognized by the Church, historians generally view the thirteenth-century councils of Lateran IV and Lyons I and II, along with the fifteenth-century councils of Constance and Basel, and the sixteenth-century Lateran V, as more or less failures in their reforming intentions. At least in the second Christian millennium, a successful council seems to be more the exception than the rule. Our thinking on these matters has been skewed by the remarkable success of the Council of Trent and its implementation by heroic figures such as Charles Borromeo and the Society of Jesus in its earlier fidelity to the charism of Ignatius. There was not so much a Counter-Reformation, as it is commonly called, as an authentic Catholic Reformation, beginning already in the fifteenth century, and finding its council in Trent and its champions in those who boldly advanced the reforming vision of Trent.

There should be no doubt, or so it seems to me, that reform is very much needed today. What might be called a Second Catholic Reformation has its council in Vatican II and has many champions, the foremost of whom is John Paul II. He is, through and through, "a man of the Council," having been a major participant in those deliberations and decisions most cheered by Jacques Maritain. As Archbishop of Krakow and for twenty-four years as pope, he has relentlessly pressed the conciliar reforms touching on almost every aspect of the Church's faith and life. And yet we cannot avoid asking whether, fifty or a hundred years from now, it will be judged that the Second Vatican Council was a failure, and, as a consequence, the Second Catholic Reformation a vain hope. Despite Maritain's somewhat insouciant statements

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about all the "foolery" passing quickly, one detects in the somber reflections of the peasant of the Garonne a haunting suspicion that the damage done by the misunderstanding and misinterpretation of the Council will be with the Church for a very long time.

The "Champions" of the Council

But he does not surrender himself to that suspicion. The deniers of transcendence—represented for Maritain primarily by Teilhard's "cosmic Christ" and its conflation of salvation with the evolutionary process—claim to have been vindicated, or at least encouraged, by the Council. But, says Maritain, "With a magnanimous serenity, the Council utterly and completely ignored this great effort at a 'better Christianity.' . . . They will have to wait for a new Council, and another, and Lord knows how many after that. Or else, if their patience wears thin, will they go so far as to form themselves into a separate sect, as did Marcion and his disciples, at the risk of making Père Teilhard rise from his grave to condemn them?" One notes that in the main text of *The Peasant*, Maritain tries to be personally gentle with Teilhard, attributing his philosophical and theological confusions to his uncontrolled "lyrical" genius. In an appendix, however, he has second thoughts, leading one to think that Teilhard may not rise from the grave to condemn his sectarian followers, being a sectarian himself.

As it happens, however, almost forty years later those whom Maritain criticized are, with few exceptions, not inclined to form a new church for their "better Christianity," since they feel quite at home in, if not entirely in control of, the Church as it is—at least with respect to academic philosophy and theology and the Church's catechetical directions. But it is true that those whom Maritain viewed as the enemies of transcendence wait and work for another council, and another after that, and after that maybe a permanent council in which what Maritain calls the "personality" and "memory" of the Church will be displaced by a process of endless revision. It is a great oddity that many of those who declare themselves to be most enthusiastic about Vatican II—who routinely speak of the "pre-Vatican II Church" and the "post-Vatican II Church," as though they are two churches—are the same people who press for the convoking of Vatican Council III. They declare themselves eager to "think with the Church"—*sentire cum ecclesia*—always stipulating that the mind of the Church will be properly articulated by the next council and the next pope, or the council and the pope after that. Theirs is an anticipatory fidelity, faithful to a Magisterium that will one day come around to agreeing with them.

One senses a certain puzzlement in *The Peasant* that those most determined to undermine the teaching of the Council succeed in presenting themselves as the great champions of the Council. Their insistence on the need for Vatican III—which, they say, would "complete" the work of Vatican II—clearly suggests that Vatican II did not do what they think it should have done. Yet one must ask why it is that those who, in fact, reject the Council's teachings have been so successful in posing as the Council's champions. One answer, it seems to me, is that many who understand and affirm the Council's teachings have been so lukewarm in the Council's defense. Many are inclined to the view that John XXIII's convocation of a council was, if not a mistake, at least unnecessary. There was, they say, no crisis that required a major initiative of reform; the Church was, all in all, vibrant and flourishing on her current course.

That way of thinking receives, I believe, no encouragement from the peasant of the Garonne. Maritain's list of what needed to be reformed in the Church prior to the Council is simply the flip side of the above-mentioned conciliar reforms that he so strongly approved. Key to his analysis are the many meanings of the word "world." If those who tried to hijack the intention of *aggiornamento* were guilty of uncritically "kneeling before the world," they were, in part, simply overreacting against the Manicheism, the contempt for the world, that was so prominent before the Council. Maritain writes:

> The hostility of a civilization in which Christianity—and especially such a disfigured Christianity—was called to question on all sides, and where science was held to be the enemy of religion; . . . the modernist crisis, with its first epidemic of itching ears and piously intended errors; . . . the indispensable struggle against these errors, the almost exclusive recourse to disciplinary measures; the spiritual impoverishment of a Christian laity, who continued in general to imagine that the call to the perfection of charity, with what it implies of life, of prayer, and, as much as possible, of contemplative recollection, was the exclusive concern of the monks; . . . All this was going to build up, in the unconscious of a great many Christians, clerics and laymen, an enormous weight of frustration, disillusionment, repressed doubts, resentment, bitterness, healthy desires sacrificed, with all the anxieties and pent-up aspirations of the unhappy conscience. Comes the *aggiornamento*. Why be astonished that at the very announcement of a Council, then in the

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> surrounding of it, and now after it, the enormous unconscious weight which I have just mentioned burst into the open in a kind of explosion that does no honor to the human intelligence? Thus the Council appears as an island guarded by the Spirit of God in the middle of an ocean which is overturning everything, the true and the false, pell-mell.

There is no doubt, then, that Maritain thought reform was needed, and he welcomed the Council's Spirit-guided response to that need. I think it fair to say that his disappointment, indeed his bitterness, over the confusions and distortions that threatened, and still threaten, to overwhelm the Council is but a measure of the high hopes he had for the reforms of the Council. Against both Manicheism and an idolatrous "kneeling before the world," the Council proposed the Church's critical engagement with the history of which it is part, knowing that the key to that history is the intuition of being, and of Being, without which mankind arrives at Damascus without incident—with the result that lives beyond number terminate in the greatest sadness, that of not being a saint.

FT

VOTING WHAT YOU BELIEVE

Republicans are the party of the religious, while Democrats are the party of secularists. That, you may well protest, puts the matter altogether too simply. You are right. But the foregoing generalization is not far off the mark, and is getting closer. Such are the findings of an important article in the *Public Interest*, "Our Secularist Democratic Party," by Louis Bolce and Gerald De Maio, two social scientists at Baruch College, New York. The dramatic shift was first evident in the Democratic Convention of 1972, when over a third of white delegates fit the definition of secularist, compared with only five percent of the general population falling into that category. For purposes of the study, a "secularist" is someone who rejects scriptural authority, has no religious affiliation, never attends a religious service or prays, and says religion provides no guidance in his daily life. A "traditionalist" is defined by the obverse on each of those scores. (The majority of Americans, it should be noted, are designated as "religious moderates" who fall between the secularist and traditionalist camps.)

The authors call the difference between secularists and traditionalists "the religious gap." "The religious gap among white voters in the 1992, 1996, and 2000 presidential elections was more important than other demographic and social cleavages in the electorate; it was much larger than the gender gap and more significant than any combination of differences in education, income, occupation, age, marital status, and regional groupings." A quarter of white respondents in the study have strongly negative feelings toward "the religious right" and "fundamentalists." The authors write: "The results indicate that over the past decade persons who intensely dislike fundamentalist Christians have found a partisan home in the Democratic Party. Clinton captured 80 percent of these voters in his victories over President Bush in 1992 and over Senator Robert Dole four years later; Gore picked up 70 percent of the anti-fundamentalist vote in the 2000 election. One has to reach back to pre-New Deal America, when the political divisions between Catholics and Protestants encapsulated local ethno-cultural cleavages over prohibition, immigration, public education, and blue laws, to find a period when voting behavior was influenced by this degree of antipathy toward a religious group."

From 1990 to 2000, the *New York Times* and the *Washington Post* ran fourteen stories noting the traditionalist-secularist divide between Republican and Democratic parties. In the same time period, they ran 392 articles on the gender gap. In the three presidential elections, white women on average gave Democrats nine percent more of their vote than did white men, while "the average gap separating secularists and religious traditionalists in these same elections was 42 percentage points."

Not Recognizing Their Own

Why do journalists talk so much about assertive believers taking over the Republican Party, and are relatively silent about the takeover of the other party by assertive secularists? "One explanation," the authors say, "involves the difficulties journalists might have in taking notice of an outlook that is so close to their own." They know they don't belong in the traditionalist camp, but they have no position of their own. They are neutral, which is to say they are normal, which is to say they are at home with the people they know and work with in the secularist camp. In a national survey, a majority of media executives and editors said that conservative Christians had "too much power and influence," and a third thought they posed a "threat to democracy." Not one in the media elites perceived secularists as a threat, and only four

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percent thought nonbelievers and secularists had too much influence in public life.

With the general public, the picture is very different. A national Pew Research Center poll last March showed that more than half of respondents had unfavorable feelings toward "nonbelievers," almost twice the number that felt unfavorably toward the "Christian conservative movement." It is not in the interest of the Democratic Party, or of their friends in the media, to highlight the religion gap. The authors conclude: "Perhaps it is for this reason more than any other that we do not hear in election-night analyses and post-mortems that Democratic candidates have shorn up their base among the unchurched, atheists, and agnostics, in addition to the ritualistic accounts and warnings about how well Republicans are doing with evangelicals or the Christian Right."

"Our Secularist Democratic Party" is a valuable update on long-term developments. The political potency of the religion gap has received regular attention in these pages, and a superb analytical reference continues to be "It's the Culture, Stupid" by Lyman Kellstedt and colleagues (April 1994). Whether it is a healthy thing for the parties to be so polarized along lines of religion, morality, and culture is quite another matter. My own view is that it is not. But that is a subject for another time.

FT

WHILE WERE AT IT

■ From the beginning, Father Ernest Fortin was a member of our editorial advisory board. He suffered a major stroke in 1997. On October 22, 2002, he half sat up in bed and said in a low voice, "I see something beautiful," and then laid back and died within the hour. He was seventy-eight years old. An Assumptionist priest of French-Canadian extraction, Fr. Ernest was quiet, erudite, intellectually mischievous, and a sworn opponent of every form of dogmatism. At the funeral Mass, his provincial superior Fr. John L. Frank said, "I remember Ernest once teaching us that the Christian virtue par excellence was not a theological virtue like faith, hope, or charity, nor was it a cardinal virtue like fortitude, temperance, justice, or prudence. No, the Christian virtue par excellence is humility—a virtue that stands in stark contrast to any classical ideal: humility first of all of a God who would humble Himself to take on our humanity and give His life as a ransom for the many. But humility as well for the believer—to understand that all is grace; that we have no right to claim anything as our own—not our life, not our gifts, not even our faith. We are at every moment God's creation." I can hear Fr. Fortin saying that. His superiors sent him off to Paris to study French literature, but there he struck up what would be a life-long friendship with Allan Bloom and, through Bloom, became a student of Leo Strauss. Strauss, he said, freed him from the dogmas of the modern era. Fr. Ernest's intellectual passion was for the Church Fathers, Augustine, Thomas, and Dante—especially Augustine and Thomas. A week before his death, he was presented with a remarkable festschrift, *Gladly to Learn and Gladly to Teach*, edited by his students Michael P. Foley and Douglas Kries. Also just published, in a translation from the French, is *Dissent and Philosophy in the Middle Ages: Dante and his Precursors*. The festschrift includes Foley's extended and utterly engaging interview with Fortin on his life and work, in which the "Christian virtue par excellence" is everywhere evident. In his conversation with Foley, as in his later writing, he is respectfully but sharply critical of the political pronouncements of the U.S. bishops. He believed the bishops had forgotten, or were simply ignorant of, the tradition of political thought that they nominally represent. Nor, on that score, were the writings of John Paul II spared Fortin's gentle but often incisive criticism. Straussians are famous—some would say notorious—for building a wall of separation between "Athens" and "Jerusalem," between reason and faith, and some thought Fr. Ernest too reluctant to challenge that divide. Perhaps so, but, if he was reticent in asserting the doctrinal specifics of the faith in his scholarly work, I expect it is because he thought that was not his task as a philosopher, and that the specifics are best asserted in liturgical celebration and the living of the truth they contain. "The truths of theology," he wrote, "are at the same time speculative and practical, something that cannot be said of any purely human science. The knowledge of these truths represents the good, not of the mind alone, but of the whole person. One cannot grasp them as 'truths' unless one undergoes a root-and-branch change, a genuine conversion." Now we may pray that the conversion will be complete as choirs of angels welcome Fr. Ernest to the "something beautiful" that is the Feast of the Lamb.

■ Among United Methodist bishops, too, "collegiality" means that bishops do not publicly criticize other bishops. But Bishop Joe Sprague of Chicago appears to have gone a heresy too far in questioning the eternal deity of Christ, his virgin birth, his bodily resurrection, and his atonement for the sins of the world. Bishop Marion Edwards of Raleigh, North Carolina, says that

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Sprague's statements "strike at the heart of our ecumenical and United Methodist Church doctrine." Other bishops are also speaking up. Without mentioning these bishops, Sprague says that his critics are "narrow-minded," "theologically bankrupt," and tools of "the well-heeled religious right." He is definitely out of sorts. But perhaps his provocations will spur a reexamination of what is meant by collegiality, and not only among United Methodists.

■ The first thing to be said about religion and public life is that religion and public life—especially as the latter is taken to mean politics—is not the first thing. That maxim appeared in the first issue of this journal in March 1990, and I hope it has guided us ever since. There are things such as the gift of life, the wonder of being, and of Being, the joys and duties of love, devotion to the truth, and the awareness of mortality. These are the permanent things that we expect to be brought into focus on solemn occasions, such as a memorial service for a friend who has died. That is no doubt why there was such a negative reaction when what was billed as a memorial service for the late Senator Paul Wellstone was turned into a raucous political rally. More than twenty thousand people turned out for the event in the stadium of the University of Minnesota; when Walter Mondale and Bill Clinton were shown on the huge television monitors, the crowd cheered; when Senator Trent Lott and other Republicans were shown, the air was filled with booing. One speaker brought the crowd to frenzied shouts of approval when he told the Republicans present that they should support Democrat Mondale for the U.S. Senate in order to "honor" Wellstone. The treasurer of Wellstone's campaign gave voice to sacralized politics by declaring, "We can redeem the sacrifice of his life if you help us win this election for Paul Wellstone." Almost all the commentary on the event was critical, but most commentators limited themselves to the atrociously bad manners and partisan meanness on display. But behind the manners and meanness was something more ominous, something like idolatry. These people really do believe that politics is the first thing. People who believe that are typically liberals rather than conservatives. The left is prone to the view that politics can fix what is wrong with the world. Politics, they believe, is about power, and the problems of the world are the result of the wrong people with the wrong ideas having power. The remedy is that they and their ideas should have the power. Conservatives, by way of contrast, are inclined to speak of human nature and what they call the human condition, the latter being marked by glories and foibles, and by a propensity for madness, mistakes, and evil. Politics is not a utopian project, never mind a religion; it is simply the necessary task of restraining wrong, incrementally advancing an approximate justice, and the deliberative accommodation of differences within the bond of civility. One columnist referred to the Wellstone memorial/rally as a sacrilege. I expect that many, perhaps most, of the people there would simply be puzzled by that assertion. Sacrilege assumes an understanding of the sacred, and they were celebrating what is sacred for them. The occasion was an unabashed, full-throated, vulgar declaration that politics is the first thing. They were there not to honor but to use the memory of Paul Wellstone in the service of their highest good, political power. It was wrong, it was sad, it was ugly; but at this point in the long history of politics-as-religion, it was not entirely surprising. We may draw a measure of satisfaction from the evidence, acknowledged by almost everyone, that the partisan memorial service contributed substantially to Walter Mondale's defeat. Whatever one thinks of Mr. Mondale and his politics, the outcome suggests that a sense of decency is not dead.

■ Hong Kong came under Chinese rule in 1997, and nervousness about the mainland imposing its oppressive rule has been heating up in recent months with Beijing proposing laws against "subversion" that could clamp down on political, civil, and religious freedom. An official recently declared that the only people worried about the new law must have "devils in their hearts." The new head of the Catholic Church in Hong Kong, Bishop Joseph Zen Ze-Kiun, is an outspoken leader in defense of Hong Kong's liberties, including religious liberties. "A religious leader," he observes, "should be careful in deciding when to remain silent and be sure to say something useful when deciding to speak." The Chinese government does not recognize Rome's leadership of the Catholic Church on the mainland and it is estimated that half of China's twelve million Catholics belong to the prohibited underground Church that acknowledges the Pope. Bishop Zen obviously thinks it is "useful" to address this question. "What if the mainland government says the Catholic Church is a threat to the nation?" he asked in a television interview. "We will admit we belong to the same Church as the underground [Catholics] in China," he answered. Beijing's hopes of quietly and easily extinguishing Hong Kong as a light of freedom has met a new and formidable obstacle in Bishop Joseph Zen.

■ In a column titled "A Jew Defends Evangelical Christians," the formidable Dennis Prager notes that liberals—Christian, Jewish, or other—are offended, and insist that others should be offended, by

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evangelical Protestants who say it is necessary to believe in Jesus Christ in order to be saved. Prager says Jews should not be offended. "Since all non-Christians are unsaved, this doctrine is in no way anti-Jewish. It is pro-salvation, not anti-anybody. The evangelical view of who is not saved is applicable, by definition, to all non-Christians. There is, therefore, no reason whatsoever for a Jew to be personally offended. It is no more applicable to Jews than to Hindus. When most evangelicals single out Jews, it is only to support them and Israel, and to reaffirm Jewish chosenness. It takes paranoia, ignorance, and ingratitude for a Jew to join the anti-evangelical critics." He goes on to observe, "All those who condemn evangelicals for their belief in the necessity of affirming Christ for salvation are doing *exactly* what they accuse these Christians of doing—judging and condemning people solely for their beliefs. Here is the liberals' rule: Christians may not judge others by their religious beliefs, but liberals may judge Christians by their religious beliefs." Finally, there is this: "Evangelical Christians, almost alone, affirm that America has a divine mission, that this country has better values than Europe, that the United Nations is a moral wasteland, that God's law is higher than international laws devised in New York or the Hague, that secularism is wonderful for government but fatal for society, that Israel must be protected against those who wish to exterminate it, that the Jews have a divinely chosen role in history, and that America must remain a Judeo-Christian country. If the only way a Christian can hold these precious beliefs is to maintain that faith in Jesus is the only way to salvation, here is one Jew who says: More power to you. Keep your faith strong. And thanks."

■ Mary Eberstadt has about had it. You may remember she wrote "The Elephant in the Sacristy," pointing out the obvious, namely, that the priestly sex scandals are, with few exceptions, about homosexual priests. Her *Weekly Standard* article elicited vigorous objections to the making of such a linkage. "The only way to argue that gay priests are not largely responsible for the Church's man-boy sex crisis," Eberstadt responds, "is to choke the life out of ordinary language itself." She cites one of the most quoted experts on the scandals, who says, "The involvement with boys is homosexual activity, but that doesn't mean the person who's doing it is homosexually oriented." A Jesuit psychologist opines that "a significant number" of those who seduce or rape boys are in fact "straight." Eberstadt comments, "George Orwell, Catholic America hath need of thee." She continues: "Bad as all this is for the Church, it is worse for the contemporary ideology of gay rights. If there is a single, extra-Catholic meaning to the Church's current disgrace, it is that the gay-rights dogma of our time—the notion that homosexually active men can be placed in close contact with adolescents and young boys without some significant portion of those men feeling and acting upon sexual attraction to those boys—has been toppled by the facts of the priest scandals. Any institution that pretends otherwise is simply rolling the dice toward the moral, financial, and—not least—actuarial disasters lately visited on the American Catholic Church." Think back to the not-very-long-ago uproar when the Supreme Court ruled that the Boy Scouts of America was not unconstitutionally irrational in not allowing gays to be scoutmasters. Funny, but we've not heard anything in the past year about the bigoted homophobia of the Boy Scouts. Actually, it is not funny at all. But it is moderately encouraging that even the most contrary-to-fact ideologues seem to be capable of recognizing the connecting of the dots when the dots connect themselves.

■ It seems nobody is paying much attention, but in the last three years six thousand Nigerians and ten thousand Indonesians have been killed as a consequence of militant Islam's campaign to impose sharia law. And, of course, two million people, mainly Christians, have been killed under the Islamic regime in Sudan. Regarding the last, both Houses of Congress passed and President Bush signed the Sudan Peace Act, which provides very specific and severe measures if Khartoum does not mend its ways. The act is in large part the result of the hard work of Nina Shea, director of the Center for Religious Freedom, which is associated with Freedom House. Regrettably, the Bush Administration does not seem to be sufficiently alert to unintended consequences elsewhere. For instance, the U.S.-backed government in Afghanistan is sometimes cited as an example of democratic—or at least somewhat more democratic—nation building. The chief justice of the new supreme court of Afghanistan recently explained his approach to dealing with Christians under Islamic law: "First, a man should be politely invited to accept Islam. Second, if he does not convert, he should obey Islam. The third option, if he refuses, is to behead him." "It is shocking," says Ms. Shea, "that the administration is reconstructing Afghanistan—with hundreds of millions of taxpayers' dollars—as a hard-line Islamic state."

■ I am frequently asked whether there is much Catholic criticism of "Evangelicals and Catholics Together" (ECT). The answer is in the negative. Not that all Catholics are terribly enthusiastic about it, but most think it is no big deal that Catholics are in

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productive dialogue with evangelical Protestants. After all, the Catholic Church is in dialogue with almost everybody. It comes with being catholic. But there are exceptions. Catholic Apologetics International (CAI), for instance, devotes forty-three pages to criticizing an address I recently gave at Wheaton College in Illinois and concludes: "Father Neuhaus has shown himself to be an enemy of Christ, with a soothing voice and a flowery tongue that masks the Serpent's hiss. He wears the clothing of a sheep, but like a ravenous wolf he seeks to dissolve the Holy Church, and like Esau, to sell Her precious pearls of truth for a bowl of false and unholy ecumenical porridge." So you can see that some Catholics are not entirely approving of my work with ECT. I was not aware of CAI's somewhat pointed reservations until they were brought to my attention by that notable blogger Mark Shea, who is concerned about what he calls the Lidless Eye Crowd on the rightmost fringes of Catholicism. In my Wheaton address I, as usual, drew on the documents of Vatican II and statements of this pontificate such as *Dominus Iesus* (Jesus the Lord) and *Ut Unum Sint* (That They May Be One), but that, in the view of CAI, is just the problem. In another long essay from CAI, we are told that "it appears that Vatican II, in intention but not in fact, did redefine the perennial teaching of the Church." "That is to say that 'the Spirit of Vatican II,' as it is interpreted and applied by the more progressive innovators . . . appears to be exactly in line with what the Council itself intended to present." The Church teaches that Protestants are damned; Vatican II says they have means of grace and may be saved. The Church says that Jews are collectively guilty of the death of Christ; Vatican II says not. The Church says that religious freedom is a pernicious heresy; Vatican II affirms religious freedom. On each point, the CAI document cites earlier councils, popes, and saints in order to establish the "perennial teaching" of the Church. The unavoidable implication is that Vatican II was a false council and the pontificates of Paul VI and John Paul II are devoid of magisterial authority. Like his soulmates on the far left, the CAI author has no use for Newman's understanding of the development of doctrine, an understanding explicitly endorsed by the Magisterium since Vatican II. Every so-called development is, in fact, a radical change, a contradiction, and an effort to reform the irreformable. That Vatican II and subsequent pontificates are heretical is a thought not to be entertained lightly by a Catholic. Our author writes, "Please God, may I be wrong about this. If ever there was a time that I wished to be corrected and proved wrong, this is it." As it happens, in the essays on my work and on Vatican II, there is not the slightest indication that the author wishes to be corrected, never mind to be proved wrong. He entered into full communion with the Catholic Church only recently, believing he had found the rock (as in monolith) of inflexible and sedentary truths. It seems he was not prepared for the Church of ongoing pentecostal stirrings of the Spirit leading into the fullness of the truth that will not be exhaustively understood until "we know even as we are known." He seems to be saying, to paraphrase St. Augustine, "So late I knew you. So soon must I say good-bye." Where he might go from here, God only knows. Having put the burden of proof on those who believe that the Catholic Church has not fallen into heresy, we hope he will stop presenting himself as a Catholic apologist. In any event, the answer to the question whether there are Catholic critics of ECT is yes, but they are not very. If they are very Catholic, they are not very critical; and if they are very critical, they are not very Catholic.

■ Columnist Maggie Gallagher points out the obvious, because it obviously is not obvious to some politicians: most doctors don't want to do abortions and abortionists want to make money. So the abortionists locate their "services" in urban areas where the traffic is brisk. NARAL, the radical pro-abortionist lobby, complains that "84 percent of counties in the United States do not have an abortion provider." Instead of a campaign to raise money in order to subsidize charitable rural abortion clinics, NARAL and its allies are campaigning to force hospitals to do abortions. Catholic hospitals are often the only ones in rural areas, and they spend an unreimbursed $2.8 billion per year in providing health care to the rural poor. In addition to its anti-Catholic appeal, the NARAL campaign aims to make abortion respectable as a "reproductive health service," although most people might think abortion is not a boost for reproduction and does not improve health. In response to the campaign, Congress has taken up the Abortion Non-Discrimination Act. It states quite simply, "No hospital should be forced by government to perform abortions that violate its core beliefs and tenets." It might be dubbed a pro-choice law, but of course NARAL and the ACLU are fighting it tooth and nail. They are pro-choice only about some choices. But they are very dependably anti-Catholic.

■ Garry Wills, one reluctantly concludes, is a deeply dishonest man. I say "deeply" dishonest because in the fever-pitch of rage with which he writes about the Catholic Church and related matters he seems incapable of recognizing when he is lying. In the *New York Review of Books* he wrote a long two-part "rant with footnotes" (Kenneth Woodward's phrase) on the current scandals in which he assaults, inter alia, Philip

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Jenkins of Pennsylvania State University, who is also a contributor to these pages. Wills asks, "How did this praiser of pornography and boy-love become a hero to reactionary Catholics?" In response to what he calls this "monstrous and wholly false charge," Jenkins challenges Wills to find one supporting sentence in his many books and articles. Wills, in turn, refers to an earlier book, *Beyond Tolerance*, in which Jenkins observes that age of consent laws have varied in history since "sexual behavior with teenagers has been considered normal in most societies." That makes Jenkins a praiser of pornography and boy-love? But Wills is not really out to get Jenkins but to score yet another point against the Catholics, and the Catholic Church, with which he so passionately disagrees. After citing the above line by Jenkins, Wills writes, "I was not contesting this view, just wondering why Catholic conservatives, of all people, suddenly found it attractive." Of course Wills does not and cannot cite even one Catholic conservative who finds it attractive that sex with teenagers should be considered normal. In his letter, Jenkins suggests that Wills' animus toward him is related to his deeper animus toward the Catholic Church. Wills retorts that this is an ad hominem criticism, that he would not have even deigned to notice Jenkins were it not that the bishops like what he has written about the sex abuse scandals. Some bishops are in favor of "protecting pedophiles," and it follows that "that must be why they find him [Jenkins] so useful." Now that is ad hominem, and viciously so. In the same essay in which he slandered Jenkins, Wills attacked Kenneth Woodward of *Newsweek*, who responds with a long letter pointing out Wills' inaccuracies and misrepresentations. Along the way, Woodward mentions his own experience with a man who told him that, as a sixth-grade student, he had taken the initiative in sexual relations with a priest. Ignoring all of Woodward's criticisms, Wills responds that, by mentioning that experience, Woodward "seems to suggest sympathy with the seduced priest, rather than the seducing sixth-grader." So much for Woodward, so much for Jenkins, so much for anyone with whom Garry Wills disagrees. It is a great pity that his louche and mendacious commentary is the *New York Review*'s magisterium on all things Catholic. It may be a sign of long overdue change that Mr. Wills' most recent book-length rant with footnotes, *Why I Am a Catholic*, was so devastatingly reviewed in, yes, the *New York Review of Books*.

■ Had the vote gone the other way, you may be sure it would have made the front pages and evening news. As it happened, there was nary a media mention of Nevada's overwhelming approval of a state constitutional amendment making it clear that marriage means the union of a man and a woman. Nevada is the thirty-sixth state to take this step, just two short of the thirty-eight states needed to ratify the Federal Marriage Amendment. Matt Daniels, president of the Alliance for Marriage, says, "As we've seen repeatedly, our side wins every time the debate over marriage is taken out of the hands of the activist lawyers and the courts. Let's all look forward to the day when the Federal Marriage Amendment will allow the democratic process to finally settle this struggle for future generations of Americans." But, of course, the gay activists and their lawyers are not about to give up. They are expecting a court victory in Massachusetts and have declared their intention to use it as a wedge for forcing same-sex "marriage" on the other forty-nine states. The friends of representative democracy should not be planning on an early retirement.

■ Some of the most intelligent writing about physician-assisted suicide has been done by Wesley J. Smith. He says he is asked by liberals why they should oppose the practice. "I can summarize a big reason in just three letters: HMO." He notes that liberals usually hate HMOs. The drugs used in assisted suicide cost about $40, while the care required to help suicidal patients not want to commit suicide may run to $40,000 or more. "Reporters, who are usually eager to expose potential financial conflicts of interest in other public policy issues, tend to be blind to the economic stakes in the assisted suicide controversy," Smith writes. "Yet the realization that assisted suicide will, in the end, be largely about money is becoming increasingly difficult to ignore." He notes that the Oregon assisted suicide law does not compel any doctor or HMO to participate in killing people but only Catholic HMOs have emphatically said no. Indeed, some of Kaiser/Permanente Northwest's doctors are participating, and a Kaiser executive memo urges its doctors to lend a hand in the suicide of people who are not their own patients, which would seem to be in violation of the Oregon law. "If assisted suicide ever became nationalized and a routine 'medical treatment,'" Smith writes, "significant money could be saved—and hence made—by the HMO industry." He quotes Derek Humphry, cofounder of the Hemlock Society, who in a recent book asserts that money is the "unspoken argument" in favor of legalizing assisted suicide. "Hundreds of billions of dollars" could be saved, Humphry says, making economics the driving force behind the push to give the old and debilitated a final push. When Midge Decter was on our staff, she would listen patiently to my theories about why somebody or the other was advocating this or that obvious wrong. Finally she

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would say, "The problem with you is that you don't think low enough." Thanks to Wesley Smith for helping us to think low about the advocacy of physician-assisted suicide.

■ Many pacifists urge us to emulate "the historic peace churches," meaning such as the Mennonite, Brethren, and Quaker movements. Dr. Scott Holland, who teaches peace studies at Bethany Theological Seminary (Brethren) and Earlham School of Religion (Society of Friends) in Indiana, contends that pacifism is a minority position in those communities. Abandoning a "nuanced two-kingdom theology," modern pacifists betray a desire for one kingdom, and they want it now. Holland writes: "The Christian theological imagination has a long and diverse tradition of thinking about God, world, self, and others within the contexts and categories of a two-kingdom theology. Although the theological constructions of Tertullian, Augustine, Luther, the Anabaptists, Bonhoeffer, or Niebuhr differ greatly on how the kingdoms of this age and the Kingdom of our Lord and God might be imagined in their interrelationships, a productive theological and political tension between the two kingdoms remains in these diverse proposals. This tension helps guard against all easy theocratic temptations by reminding the faithful that although the world is blessed, it remains broken. It likewise signifies that although God's kingdom has in one sense come into history, it also remains a future hope waiting for fulfillment, inviting the believer to live in the creative tension of the 'already but not yet' eschatological reality of God's presence—and absence—in space and time. Classical Christianity in its many denominational expressions can thus proclaim a vision of the reign or kingdom of God with a surplus of meaning: 'The kingdom has come; the kingdom is coming; the kingdom will come.' This assertion functions as a creative limit-language, reminding us that no historical theology or political theory can contain the fullness of God's kingdom. All doctrines, ideologies, and institutions are thus subject to a process of constant critique and revision." It is not sufficient to cry, Peace! Peace! when there is no peace. Holland addresses the uneasy conscience of today's pacifists: "The decision or the historical necessity to become more personally and professionally engaged in broader cultural expressions of life creates an intellectual and spiritual dilemma for most modern sons and daughters of Menno Simons, Alexander Mack, and George Fox, especially around the ideal of pacifism. Many find it intellectually dishonest to live happily in the company of the mass of humanity with the full benefits of citizenship, and then pretend to be 'married monastics' only when it comes to the doctrine of pacifism. One cannot live fully in the midst of the art, industry, education, institutions, and civility of the commonweal and then retreat to a cultural-linguistic cave to drag out a sectarian, nonresistant deity to speak on behalf of a pacifist public ethics. Many are finding such a strategy for voicing their peace concerns and witness increasingly irrelevant, even irresponsible." All people of good will desire peace. People who have something relevant and responsible to say on questions of war and peace know that peace is the product of a good, or approximately good, order that is grounded in justice and freedom, and that that order must be protected, sometimes by military means.

■ I see Pilgrim Press is bringing out *Queering Christ: Beyond "Jesus Acted Up."* The author is Robert E. Goss, who *Publishers Weekly* describes as a "queer Christian theologian who identifies gay content in theology, the Bible, and Christ." In some circles, it appears, *Jesus Acted Up* was thought altogether too tame. The older gay line is that Jesus was gay. Queer theory contends that to speak of people being gay or straight is unacceptably "essentialist." Everybody has "gay content"—and should act on it. Bringing to your attention what is on offer from putatively Christian publishing houses is but one of the many services we are pleased to provide.

■ Sociologist Alan Wolfe writes about the differences between evangelical Protestant and Catholic colleges. Evangelical academics, he writes, tend to be enthusiastic about postmodernism because it debunks the rationalism that was once used to debunk faith. "The postmodern evangelicals with whom I talk believe that one can be skeptical of all truths while maintaining the truth of God's existence. Catholics are more likely to hold that the truth of God's existence must mean the truth of man's reason, art's beauty, or universal morality." Wolfe, who teaches at Boston College, is critical of Father James Burtchaell's thesis about "the dying of the light"—meaning the ways in which church-related higher education, including Catholic higher education, has lost the religious inspiration that brought it into being. Wolfe argues that what Burtchaell sees as failure is in fact success. Catholic colleges and universities are engaged with the culture, attract bright non-Catholics, and are highly rated in the academic community. "If such success constitutes failure," he writes, "I would hate to know what failure must be." "What upsets me most about the views of writers like Burtchaell and Fr. Richard John Neuhaus is their lack of recognition that a Catholic education can be as valuable for those outside the tradition as those inside. If you have something that you believe makes sense, you ought to want to share it.

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If you restrict it, you cheapen it." Mr. Wolfe is needlessly upset, for we—and I know I speak for Fr. Burtchaell on this—are not at all interested in restricting Catholic education to Catholics. What an utterly alien notion, and one wonders where he picked it up. The question, rather, is what constitutes a Catholic education. As Fr. Burtchaell has documented in detail, most Catholic colleges today have no clear answer to that question. An institution cannot share a Catholic education with others unless it is offering a Catholic education to be shared. Mr. Wolfe, like his liberal Catholic colleagues, suggests that the choice is between the status quo and going back to the bad "good old days" when a Catholic college was, as he puts it, "all male, nearly all Irish, and overwhelmingly Catholic in the composition of its faculty." But Mr. Wolfe has a better excuse for holding to this wrongheaded view than do his colleagues. A secular Jew who had previously taught at the New School for Social Research in New York and Boston University could not help but think a place such as Boston College is very Catholic indeed. Of Boston College he says, "But it remains recognizably Catholic, perhaps more recognizably Catholic for those who are not Catholic than for those who are. If that sounds like a paradox, perhaps my appreciation for the Catholic intellectual tradition has taught me the importance of paradoxical things." Paradox, however, has nothing to do with it. The most religiously vacuous Reform synagogue undoubtedly seems more Jewish to me than it does to my more observant Jewish friends. The question is not whether Boston College is recognizably Catholic in the view of Alan Wolfe but whether it is recognizably Catholic in the view of Catholics who are faithfully Catholic. The pity is that Catholic educators, heirs to a long American tradition of not being appreciated by their academic betters, are confirmed by Mr. Wolfe in their belief that they're doing just fine.

■ "I was astounded to see that by and large the growing churches are those that we ordinarily call conservative. And when I looked at those that were declining, most were moderate or liberal churches. And the more liberal the denomination, by most people's definition, the more they were losing." So says the director of the decennial study of church membership conducted by the Glenmary Research Center and sponsored by the Association of Statisticians of American Religious Bodies. His surprise is surprising. Way back in 1972, a dear friend and contributor to these pages, the late Dean Kelley, explained the phenomenon in his book *Why Conservative Churches Are Growing*. People are attracted to churches that offer clear teaching and require a high level of commitment. The fastest growing bodies in the past decade are the Mormons (up 19.3 percent since 1990), the Churches of Christ (up 18.6 percent, and not to be confused with the United Church of Christ), Assemblies of God (up 18.5 percent), Catholic (up 16.2 percent), followed at a distance by Southern Baptist (up 4.9 percent) and Jewish (up 2.7 percent). The Jewish figure is misleading since, unlike all the other groups, it reflects ethnic identity rather than membership in a religious institution. I have been challenged when I say that Catholicism is the fastest growing religious community in America. After all, it comes in fourth in terms of percentage of growth. But, of course, the base from which you begin makes a big difference. A group that had 100 members in 1990 and has 200 now has grown by 100 percent, but it would be very misleading to say it is the fastest growing. So it is that the Mormons have 4.2 million, the Churches of Christ 1.4 million, and the Assemblies of God 2.5 million, while the Catholic Church has 63 million (for some reason, the Glenmary study says 62 million). In terms of gain in new members, the Catholic Church is far and away the fastest growing in the country. The big losers are the liberal mainline groups such as the Presbyterian Church USA and the United Church of Christ, with 11.6 percent and 14.8 percent declines, respectively. The study found that there are 1.5 million Muslims, which is in line with other studies and, as frequently noted here, a long way from the five to eight million claimed by Muslim organizations in this country. As for the Christian communities, it is useful to have the confirmation by the Glenmary study, but the news is that there is no news. There are a few new wrinkles, but Dean Kelley pretty much told us what is happening, and why, in 1972. People are attracted by clear teaching and a challenge to commitment. The sociological reality is that those who claim that religion, in order to survive and flourish, must be constantly updating itself in order to stay in step with changing times have it exactly wrong. One doesn't need religion to stay in step with the times.

■ Whether or not you have money burning a hole in your pocket, if you asked me for a cause truly worthy of your support, I would not lack candidates to recommend. For instance, the *Human Life Review*, an invaluable journal started by the late Jim McFadden way back before *Roe* and now edited by his daughter Maria (our erstwhile Managing Editor). On abortion and all the other life questions, there is simply no other source as comprehensive, intelligent, and consistently readable. You can subscribe for only $20 per year, although Maria tells me that contributions above that are accepted, even welcomed. For more information, write *Human Life Review*, 215 Lexington Avenue, New York, New York 10016.

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■ An April Falcon Doss writes to the *Washington Post* about sending her daughter to a private school: "For a card-carrying liberal, I was surprisingly unapologetic about our decision. Why should I sacrifice our daughter's future to an abstract principle? I wasn't up to battling the school system about class size, curriculum, and extracurricular activities. And by the time any changes could be made, our daughter would have already missed out on a vibrant education." In the online *OpinionJournal*, James Taranto comments that this is the very definition of an American liberal, someone who is willing to sacrifice the future of other people's children to an abstract principle. Of course that's not fair to all liberals, but . . .

■ It is precisely when we are confident that our cause is just that we need to be reminded that final judgment is not ours. Here, writing in the *Torah u-Madda Journal*, is Shalom Carmy, who teaches Jewish thought and philosophy at Yeshiva University: "God's ways are not always our ways. The believer in a living God cannot take it for granted that God judges our cause righteous, or that He is deaf to the prayers of our adversaries. Even our father Jacob, to whom the Almighty had promised assistance, was anxious about the outcome of his encounter with Esau. To be of good courage and overcome fear when faced by the enemy is a commandment. To assume that we are worthy of His unqualified support and that He cannot show favor to our enemies (even when our cause is righteous) is not the fulfillment of a commandment. Too much certitude about the operations of Providence (alias the radical nationalist's 'destiny,' alias the Marxist's 'historical dialectic,' alias the progressive's 'progress') is the mark of the idolator. One reason that Lincoln's religiosity rings authentic is that he recognizes the inscrutability of God: 'Both read the same Bible, and pray to the same God; and each invokes His aid against the other. . . . The prayers of both could not be answered; that of neither has been answered fully.' After the excesses of the previous century, after all the shameless manipulation of ideals, including religious ideals, such humility is more important than ever."

■ Liturgy Training Publications is a huge enterprise based in Chicago. For years, LTP has been keeping Catholics beyond number in liturgical training pants as they are pushed along an ever-changing course of orchestrated spontaneities. Among LTP's many publications is *Rite*, a liturgical newsletter edited by Mr. David Phillipart, who, it says here, spent ten years in "parish pastoral ministry." In the current issue, he suggests introducing a "water rite" before Morning Prayer, and offers a water-blessing of his own composition:

> *We give you thanks, O God,*
> *for the gift of water:*
> *boundless seas and mothers' wombs*
> *morning bath and sink of warm suds*
> *cool drink and misted gardens*
> *snow drifts and icicles frozen sharp!*
>
> . . .
>
> *As we have been washed in baptism's bath,*
> *unseal for us the Spirit-fountain*
> *the Wisdom-geyser that streams and sprays*
> *trickles and truckles*
> *flashes and floods. . . .*
> *Drench us with love, yet make us thirst for justice*
> *when we see you suffer in the poor and oppressed . . .*

To which the editors of *Adoremus Bulletin*, a newsletter hung up on the notion that liturgy has something to do with continuities, as in Catholic, comments: "While this 'blessing' is drenched with colorful language and dripping with metaphors, it more closely resembles a greeting-card than a sacred text for Catholic prayer." What a very good idea. Next week, boys and girls, let's all write greeting cards to be read before Mass. And don't be embarrassed by accidents. That's what liturgical training pants are for.

■ The author is anonymous. Writing in *Christianity Today*, he says he has been happily married for twenty-five years, has two teenage sons, is president of his ELCA Lutheran parish council, and leads the youth group. Only his wife knows about the strong same-sex desires he has experienced since childhood. He dare not tell others because he fears what they would think of him, and maybe they wouldn't let him do what he does in the church. He writes: "The debate on homosexuality is tearing at the fiber of almost every mainline Christian denomination, while also leaving many of us who actually *are* homosexuals feeling misunderstood, marginalized, and ignored by the 'dialogue.' I am not trying to argue in favor of my homosexuality, but to simply acknowledge the reality of my condition. I am broken, and I acknowledge my homosexuality as a manifestation of this brokenness. But I do not believe I am any *more* broken than the person who sits in the pew next to me. The greedy, the liars, the drunkards, and the single yet sexually active heterosexuals—they all share in equal portion with me in this brokenness. Sin is sin, and grace is grace. We are all sinners and we all—whether heterosexual or homosexual—are offered the same grace. Ours is no easy victory. It would be a whole lot easier if our

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churches would try to understand, and accept, those like me who claim victory nonetheless." It is a poignant article, and yet somehow wrongheaded. The only way he could be part of the "dialogue" is to drop his anonymity and, as they say, "tell his story." In fact, the dialogue dividing the churches is not so much a dialogue as an agitation to get Christians to agree that for two thousand years they have been wrong about human sexuality. If the writer surrendered to the pressures of a tell-all culture and spilled the beans, his testimony would immediately provide ammunition for one side or the other in the agitation. He says he resents the fact that his male friends are ever so much more tolerant of heterosexual sins than of homosexual sins. But that is to resent the fact that somewhere around 98 percent of men are heterosexual. The yearning to have others know and love us for who we really, really, *really* are is an obsession to be surrendered upon attaining adulthood. God knows and loves us through and through, better than we know and love ourselves. As for his same-sex attractions, his wife also knows, as does, if he has one, his spiritual director. And what would it mean for his fellow parishioners to understand and accept? What if the guy in the pew next to him finds sex with his wife distasteful and has a terrible time resisting the allures of his sexy young secretary at the office? Should he tell the congregation about his temptations, seeking their understanding and acceptance? The cardinal virtue of prudence may suggest that he should probably forgo the satisfaction of telling even his wife. In a world where self-exposure as an appeal for sympathy is pandemic, reticence and privacy about some things support personal dignity and are not unrelated to the very adult virtue of fortitude. How would our author's fellow parishioners, never mind his wife and children, deal with it if he told all? One might argue that he has not the right to find out. All in all, it is a very good thing—and no judgment on the culture, his church, or anyone else—that this anonymous author remain anonymous.

■ I don't know whether he really said it, but I've liked the story that John Calvin, asked by a friend what he has been up to, replied, "I have today sent off my book to the printer, there to be dropped, like a beautiful rose, into a very deep well, never to be heard of again." Of the seventy-five thousand or so trade books published each year in the U.S., it may be just as well that many are never heard of again. But it would be a very great shame were that to happen to A. James Reichley's *The Values Connection* (Rowman & Littlefield). Reichley, who is senior fellow at the Public Policy Institute of Georgetown University, writes with uncommon wisdom about the foundations of a free, democratic, and virtuous society. He packs a great deal of historical and philosophical learning into a survey of the various value systems that have been espoused for securing such a society. There is, for instance, the egoism proposed by Machiavelli, Hobbes, and contemporary libertarianisms. Here he also, mistakenly I think, puts Adam Smith. Then there is collectivism and its champions such as Rousseau with his "general will," Hegel with his realization in history of the divine Idea, and Marxist totalitarianism. His third system, monism, is the identity of the self with the All suggested by sundry Eastern spiritualities, and is in sharpest contrast to the absolutism promoted by authoritarian forms of Christianity and, as we are all learning these days, Islam. "Ecstatism" comes in many forms, from Nietzsche to the Woodstock Nation, and all its forms license Dionysus run amok. Civil humanism is very sympathetically considered but finally found wanting for its inability to ground morality in truth. All of which leads him to the conclusion that the only thing that will sustain the kind of society we cherish is "transcendent idealism," by which he means the Judeo-Christian moral tradition that, he convincingly shows, motored the founding vision of the American Republic. *The Values Connection* is a calm and judicious book and, while I have my quibbles—as is to be expected in such an ambitious synthesis—it provides a remarkably comprehensive account of the ways in which human beings have tried to provide a moral rationale for a decent society. Reichley's thought and sensibilities are deeply Augustinian, joining reformism to a keen appreciation of how even the best can go wrong. Perhaps because he wants to invite conversation, he sometimes avoids or states softly the more polarizing questions. For instance, in 284 pages, abortion is not mentioned. The great merit of the book, however, is in its demonstrating that every social order, or proposed social order, entails certain understandings, explicit or implicit, of human nature, history, destiny (or the lack thereof), and assumptions about how we know such understandings are true. *The Values Connection* is a noteworthy achievement and, having been sent off to the printer, deserves to be heard of again and again.

■ Professor Kenneth Miner, a reader in Lawrence, Kansas, suggests that the problem of faithless clerics is endemic to religion. Time goes by and clerics discover they have lost their original motivation, and maybe even their faith, but what else are they to do? He cites John Mortimer who, in *Rumpole and the Age of Miracles*, has Rumpole speaking of his father: "It is true that my old father was a cleric, so I was, to that extent, a child of the manse; but his increasing doubts about the Thirty-nine Articles were only just balanced by his

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certainty that he was unequipped to earn a living in any other profession. So he clung on to his draughty vicarage in East Anglia as a man might to a small raft in stormy seas." Innumerable people in other professions discover in mid-life that they have lost interest or faith in what they set out to do, but they can usually plod along practicing the technical skills pertinent to their craft. It is a different and altogether more poignant thing when someone whose calling is to call people to faith no longer hears the call or has the faith. Were it not for the promise of *ex opere operato*, he might fear he is faking it. He clings ever more tightly to the promise, despite his doubts about the One who made the promise. Remember the whisky priest in Graham Greene's *The Power and the Glory*. And fondly recall the days when whisky was the great occasion of priestly scandal.

■ Dr. Bernard Nathanson, once the country's foremost abortionist and then, finally, tracked down by grace and baptized into the Catholic Church, sends a letter of glowing praise for my most recent book, *As I Lay Dying*. Modesty forbids my reporting what he says about the book, but I can tell you that he thinks you're making a big mistake if you don't take immediate steps to get it, read it, and recommend it to friends. With his permission, I do quote this from his letter: "I visited you in hospital shortly after your first surgery. You were pale, shrunken, and feeble. With my irrepressible clinical eye I silently consigned you to an advanced Duke classification and estimated six months to a year. As I left your bedside I turned and asked you of what use I could be. You murmured: 'Pray for me.' As it happened, I was then busy reviewing a book by Larry Dossey, M.D. called *Healing Words: The Power of Prayer and the Practice of Medicine*. Having set out his arguments for and against prayer as a therapeutic modality, Dossey concludes thus: 'The use of prayer will become the standard in scientific medical practice in most medical communities. So pervasive will its use become that *not* to recommend the use of prayer as an integral part of medical care will one day constitute medical malpractice." Dr. Nathanson says Dossey failed to convince him at the time, and he gave the book a negative review. He adds, "But, as Baron Bramwell (1873) put it: 'The matter does not appear to me now as it appears to have appeared to me then.' Prayer *is* the ultimate weapon in the arsenal of the faithful."

■ From the *"Quote . . . Unquote" Newsletter*, this observation by one Robert Wilensky: "We've all heard that a million monkeys banging on a million typewriters will eventually reproduce the entire works of Shakespeare. Now, thanks to the Internet, we know this is not true."

■ A. R. Dykes, a British engineer, said it of engineering, but, with only the slightest effort of imagination, I expect you might find the following is applicable to a wondrous range of human expertise: "Engineering is the art of modeling materials we do not wholly understand into shapes we cannot precisely analyze, so as to withstand forces we cannot properly assess, in such a way that the public has no reason to suspect the extent of our ignorance." You say it might apply also to Editors-in-Chief? Now you go too far.

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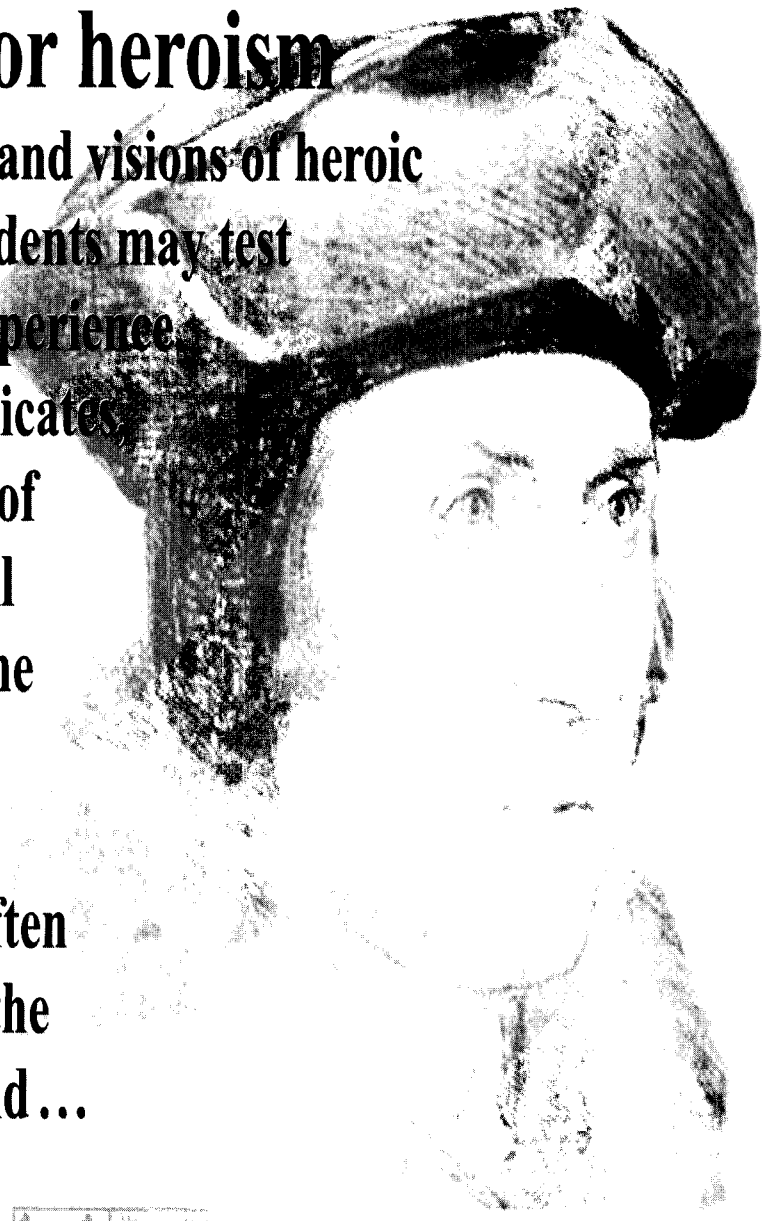
The education for heroism

makes available models and visions of heroic action against which students may test their own actions and experience. As Jacques Maritain indicates, poetry "is the secret life of each and all the arts": all the disciplines are in some sense translations of a common *poetic* insight, an intuitive source too often ignored or forgotten by the rationalistic, secular mind...



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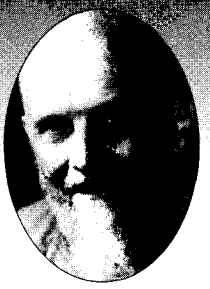
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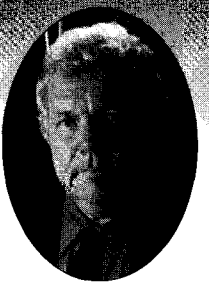
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